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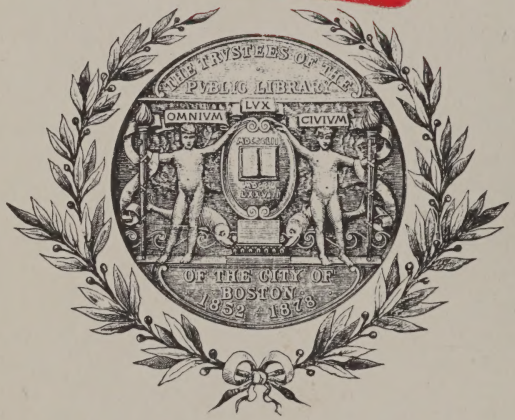

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JANUARY, 1881.

THE PHILOSOPHY OF PERSECUTION.

In the first series of his admirable essays on contemporary literature, M. Scherer reminds us that in 1841 Lacordaire wrote a biography of Saint Dominic, in order to prove that he was not the founder of the Inquisition. "Strange are the vicissitudes of opinion," observes the critic. "The Bollandists saw a title of honor where the modern Dominican sees a blemish which he would fain wipe away. While the former scornfully asked what there is criminal or shameful in delivering heretics to the torture, Lacordaire complains of the calumnies which have injured, in the eyes of posterity, the reputation of the chief of his order."* The case is indeed a striking one; but the vicissitudes of opinion which it illustrates are in no way temporary or accidental, but are symptomatic of a general and progressive change in the tempers and opinions of civilized men. The interval of a century or more between the earlier Bollandists and Lacordaire marked a new era in this change of temper, in so far as persecution, while losing much of its old cruel intensity, became also discredited and disavowed. It was during this interval that Lessing's theory of the relative truth of opinions, which destroyed the logical basis of persecution, began to make its way among cultivated minds. Though the persecuting spirit has not yet ceased to influence men's actions, it is no longer regarded as a trait to be proud of, but seeks to hide itself under specious disguises. Its manifestations, too, have become correspondingly feeble. The heretic

* "Études sur la littérature contemporaine," i. 159.

who once would have been racked, thumb-screwed, and burned for writing an obnoxious life of Jesus, is now only requested to resign his professorship in the Collège de France, while nobody thinks of such a thing as confiscating the book or cutting off from the author his share of the proceeds of its immense sale. The decline of persecution is in these respects analagous to the simultaneous decline in the warlike spirit. Warfare, once regarded as the only fitting occupation for well-bred men, has come to be regarded not only as an intolerable nuisance, but even as a criminal business, save when justified on the ground of self-defense. And along with this change in the moral estimate of warfare, we observe that whereas the capture of a town not long ago was invariably followed by a carnival of red-handed slaughter and bestial lust, it is now thought unfair to kill the pigs or chickens of a non-combatant enemy without at least professing to pay for them. These phenomena are happy symptoms of a general improvement in the way men think and feel; and they give one some reason for hoping that in due course of time such ugly things as war and persecution will cease to be numbered among the actual difficulties which beset human life.

This general improvement in opinion and temper, when stated with proper limitations as to time and place, is admitted by every one; and it has become an interesting task to analyze it and determine the various circumstances to which it is due. How does it happen that while the representatives of the current orthodoxy would once have roasted you with pious exultation, they are now fain to content themselves with turning you out of an office, and with an apologetic air at that?

This question was incidentally treated by the late Mr. Buckle, in the book which, twenty years ago, was so stimulating and instructive to youthful minds. Mr. Buckle laid it down as one of the cardinal points of his theory of history that civilized men have not improved morally but only intellectually. That on the whole civilized men manage to live in a more peaceable and becoming manner than barbarians, he did not deny; but he thought it necessary for the general purposes of his theory to maintain that this progress has been due entirely to increase in knowledge, and not at all to improvement in ethical feeling. His principal argument in support of this thesis is taken from the history of persecution. He calls attention to the curious circumstance that, in the early struggle between Christianity and

Paganism, it was not the infamous Commodus and Elagabalus, but the pure and upright Marcus and Julian who persecuted the new religion. And so, in modern times, many of the fiercest persecutors have been distinguished for integrity of character and elevation of purpose,—as St. Dominic, Isabella of Castile, Pius II., Calvin, and Catinat. Mr. Buckle accordingly argues that religious persecution has been the product of some of the best impulses of human nature when guided by an erroneous theory of duty. The wretched Commodus cared nothing for religion or for anything else save his sensual pleasures; and so Christian and Pagan were all one to him. But his noble father, Marcus, had the interests of religion uppermost in his heart; and so, in spite of his humane disposition, he felt it necessary to use violent means in putting down such an aggressive heresy as Christianity was then regarded. So, in later times, when persecution was prevalent among Christian sects, the general rule was that those who believed in the dogma of exclusive salvation were persecutors, no matter to what sect they belonged. Of this belief, persecution is, no doubt, under any circumstances, the natural outcome. He who believes that his neighbor's heresy is destined to be punished after death by excruciating tortures of infinite duration, will not scruple to use the most violent means for rescuing him from his perilous condition. Obviously, such a conclusion may be entertained without sophistry. Once admit that salvation is possible only within the limits of your own sect, and it may well be argued that you are bound, in benevolence if not in justice, to compel all dissenters to "enter in" to that sect. If persecution be needful to obtain such an object, then, on this view of the case, it would really be hard-hearted to refrain from using it. If pulleys and thumb-screws can substitute eternal happiness for future torments like those described by Dante, then pulleys and thumb-screws are instruments of charity and kindness. On this view of the case, the typical religious persecutor is a man in whom unselfish philanthropy has become such an uncontrollable impulse that, no matter how great the violence to his natural feelings of humanity, he will not hesitate to employ the most rigorous and appalling measures to restrain his fellow-creatures from incurring the risk of endless misery. Such men exist to-day, as formerly, mankind having remained substantially unchanged in their moral condition. But they no longer use such rigorous and appalling means of constraining the opinions

of their fellow-creatures, because—for one thing—they have not the power to do so. And they have lost the power to do so, because such a general skepticism has come to pervade the community that the dogma of exclusive salvation has become discredited. The decline of persecution has therefore been determined solely by intellectual causes, and does not indicate any improvement in the average character or advance in the ethical knowledge of mankind.

In this view there is some truth, but it is so mixed up with error that the total statement is of little worth. That the growth of skepticism, or increasing lack of certainty about transcendental opinions, has had much to do with diminishing religious persecution, is not to be denied. But that the average persecutor is a man whose horrid actions are dictated by an unselfish interest in the welfare of his fellow-men, is a much more questionable proposition. It has not been customary to credit religious bigotry with such lofty motives,—if motives prompting such atrocious actions can at all properly be called lofty,—and we do not find Mr. Buckle disposed to be particularly lenient in his judgment of individual persecutors, whatever general statements the supposed exigencies of his theory may have led him to make. When he comes to treat of the bigoted Scotch divines of the seventeenth century, he is only too ready to charge them with moral perversity as well as with intellectual ignorance and obtuseness. This is very inconsistent; but inconsistency can hardly be avoided when one starts with such a singularly half-true theory as that which Mr. Buckle propounded.

Mr. Buckle's fundamental error lies in the attempt to assign distinct parts to elements of human nature that in reality cannot be separated. For didactic or school-room purposes it is well enough to consider separately the intellectual and moral faculties of man. But when we come to examine concretely any actual group of human phenomena, it is hopelessly futile to try to consider intelligence and moral disposition as working separately, or to assign to each its kind and amount of effects. In point of fact they never do work separately, but their combinations are so manifold and intricate that the disentangling of effects becomes impossible. When we look at things rather than words, we see that every complex question of morals is largely also a question of intelligence, and conversely. For example, let us consider what political economists call the "effective

desire of accumulation." As a rule all men desire to make money, or to increase their general control over the circumstances which make life comfortable or pleasurable; but the effectiveness of this desire is very different with different individuals, and it is immeasurably more effective in the case of civilized men than in the case of barbarians. The savage cannot be made to work to-day in anticipation of wants that are not actually felt at present; but the civilized man will even devote a hundred or a thousand dollars' worth of labor every year to ward off the mere possibility of a loss by fire which is by no means likely to occur. This tendency to provide for future contingencies is at the root of what is called the "effective desire of accumulation," and it furnishes one of the most conspicuous of all the distinctions between civilized men and savages. The progress of mankind in civilization has been to a large extent identical with the growth of this tendency. But, now, how far has this been an intellectual, and how far a moral progress? On the one hand, it may be argued that the ability to labor and to economize to-day in anticipation of future contingencies is an index of self-control or of power to resist momentary temptations; and in so far as this is true, the increase of the "effective desire of accumulation" is an index of the degree to which civilized men have risen morally above the dead level of savagery. But, on the other hand, it is undeniable that such a purely intellectual faculty as imagination has a great deal to do with this ability to anticipate future emergencies. A savage does not work to-day in order to keep the wolf from his door next winter, because he cannot frame in his mind an adequate picture of what next winter is going to be. The temptations of to-day he vividly realizes; but of the needs of next winter he can form no mental image distinct or vivid enough to determine his actions. So with the careless, improvident man—who is to that extent a barbarian—in civilized society. No honest man would ever voluntarily run up a bill, to be paid on the uncertain chances of his income six months hence, if he could adequately represent to himself, in imagination, the discomfort or even misery which after six months the bill is liable to produce. I am not speaking now of such pecuniary obligations as are sometimes thrust upon persons by circumstances over which they have no discoverable means of control. I refer only to such obligations as are commonly incurred in civilized society through

excess of unproductive expenditure, or what is currently known and stigmatized as "extravagance." The results of extravagant expenditure, especially as connected with the system of "living upon credit," form a very large proportion of the miseries by which modern society is afflicted: if all the secrets of society could be laid open for inspection, we should perhaps marvel at the amount of unhappiness which is traceable directly or indirectly to this cause. Yet the reckless assumption of pecuniary obligations does not ordinarily originate in dishonesty of intention. There can be no doubt that it ordinarily originates in mental incapacity to form a distinct and accurate conception of the future results of to-day's actions, coöperating with that comfortable assurance that things will somehow or other come out right, which nearly all men persist in cherishing. The lazy belief that in some unspecified way things will so adjust themselves as to prevent the natural consequences of a wrong or foolish act, is a very common fallacy, upon which George Eliot is especially fond of commenting. This belief, which is responsible for so much imprudence and for so much crime, is itself the product of defects that are partly intellectual and partly moral. It arises partly from a slothfulness of temper which shrinks from the discomfort of dealing with unpleasant facts, and partly from inability to think out complicated relations of cause and effect. Thus deeply and widely inwrought with every phase of the moral power of resisting temptation, is that purely intellectual power which we may call "representativeness"—that is, the power of forming distinct and vivid mental pictures of circumstances which have not yet begun to exist, or are at any rate remote from us at the present moment. Other things equal, the man who has this power of "representativeness" most fully developed is most likely to exhibit self-control amid the myriad temptations of life. Yet in spite of the highly composite character of the process by which the habit of self-control is reached, the result is a purely ethical result—a result which we estimate solely with reference to its bearing upon the welfare of society. And accordingly, when we praise a man for prudence and self-control, we rightly feel that we are paying tribute rather to his moral character than to his intellectual capacity.

Such being the inextricable complication of intellectual and moral processes, even in such a comparatively simple case as that

of "the effective desire of accumulation," we need not expect to be able to deal satisfactorily with such a complex affair as the persecuting spirit without taking into the account both intellectual and moral factors. And in taking both into the account, it must be borne in mind that what we have to say about the one is necessarily incomplete until mentally supplemented by what we have to say about the other.

The diminution in the intensity of the persecuting spirit and the diminution in the atrocity of its manifestations, alike furnish, when duly analyzed, an excellent illustration of the intellectual and moral advance of mankind from a state of bestial savagery toward a state of refined civilization. Let us consider first, for a moment, the diminution in the atrociousness of the overt acts by which the persecuting spirit has manifested itself; and afterward let us proceed more thoroughly into the consideration of the underlying causes of the temper of mind which has led men to persecute one another.

In the lowest stages of human progress which the comparative study of institutions has revealed to us, there are no great political aggregates of men covering large areas of country, supporting themselves by complex and multifarious kinds of industrial activity, and bound together by varied community of interests, guaranteed by laws based on the common consent of all. Viewed in relation to what we now know about the antiquity of the human race, a society like this must be regarded as quite a late and elaborate result of the slow process of civilization. In broad contrast to anything of this sort, we find mankind in their primitive condition—such as we may still find it partially exemplified in the institutions of savage races—existing only in little tribes, supporting themselves almost entirely by predatory occupations quite like those by which bears and tigers support themselves, and perpetually fighting with each other for the possession of the hunting-grounds that insure their means of subsistence. In this primitive bestial state of society, there is nothing like a normal state of peace. The nearest approach to peace is a state of armed truce. Warfare between tribes goes on chronically, the injury which one inflicts upon another being compensated only by some equivalent injury inflicted in revenge. As all the foreign policy of a given tribe may be thus summed up in perpetual murder of men, so its internal industries may be mainly summed up in the perpetual slaughter of animals that serve for food.

Every man is primarily a butcher. To kill something is the prime necessity of life. The direct infliction of death or of physical suffering is the principal daily occupation of all the members of the community; and as a correlative effect of all this, the ability to meet death or to endure physical suffering without flinching is one of the attributes of a hero that society prizes most highly. The most complete instance of a society of this sort that has acquired historic fame is that of the Iroquois of New York, in the seventeenth century. But there is no doubt that, in all the respects we are now considering, our own Aryan ancestors who conquered and settled Europe were substantially like the Iroquois.

Now, in such a state of society as this, it is obvious that men will inflict pain without the smallest compunctions and upon very small provocation. The feelings with which we regard to-day the needless infliction of physical suffering would be utterly unintelligible to them. To such men death and torture are common incidents of life, which no more interrupt the even tenor of their ways than ours are interrupted by railway accidents. A man born in such a state of society *expects* to meet a violent death, as is shown by our own Norse progenitors, who regarded it as disgraceful to die in one's bed,—and an end which a man was willing to encounter himself he might readily be supposed to be willing to inflict upon others. In this way, I think, the excessive cruelty which characterized the persecutions of the Middle Ages is completely explained. When we read of the frightful tortures inflicted upon Arabs, Jews, and Protestants by the Inquisition; when we remember the fiendish outrages perpetrated by the Spanish armies in Holland and by the Imperial armies at Magdeburg; when we recollect that in Spain an *auto-da-fe* was one of the most imposing ceremonies of the Church, and that, on the marriage of Philip II., burning heretics served as nuptial torches, we are at first inclined to exclaim that such cruelties could never have been. In human nature, as we know it to-day, mean and bad as it too often is, we do not seem to find anything like a parallel to such horrible cruelty as this. It has been said that we need but to imagine the state of mind which attributed a similar course of action to Eternal Justice, and conceived it as part and parcel of the essential order of the universe, to render all this explicable. No doubt the self-same ingenuity which men displayed speculatively in theological descriptions of the next

world, was also displayed practically in such inventions as the rack and the boot, the Virgin armed with knives, or the cell whose walls gradually approached each other and crushed the wretched prisoner into a jelly. It is significant, too, that execution by fire was openly defended as being symbolical of the everlasting punishment destined for the heretic hereafter. At the execution of the lad, William Hunter, in 1555, as the fagots were set on fire one of the attendant priests exclaimed, "Behold, as thou burnest here, so shalt thou burn in hell!"

To cite the atrocious theology, however, as the sufficient explanation of the atrocious behavior, would be, I think, to invert the relations of cause and effect,—in homely phrase, to get the cart before the horse. It was only in a cruel age that the doctrine of hell-fire could have acquired that hold upon men's minds which it had acquired in the Middle Ages. In recent times the doctrine has become almost universally discredited throughout the more enlightened portions of Christendom. Even those who maintain a belief in some kind of endless punishment, no longer insist literally upon the lake of brimstone and the fire that is never quenched. Now, the doctrine of hell-fire has become thus universally discredited, not because it has been scientifically disproved, for science has neither data nor methods whereby to disprove such a doctrine; nor because it has been exegetically shown to be unsupported by Scripture, for the ingenuity of orthodox exegesis has always been equal to the task of making Scripture mean whatever is required; it has been discredited simply because people have become milder in their manners and less used to enduring and inflicting physical pain. The doctrine shocks people's feelings, and so they refuse to believe it, no matter how the logic of the case may stand. The sermons of Theodore Parker on the popular theology well illustrate the change of mood that has come over men's minds with reference to the justice of God: the whole burden of these discourses is the argument that the infliction of endless suffering on the creature is incompatible with infinite justice on the part of the Creator. That such an argument appears sound to-day, whereas it would have seemed absurd to the contemporaries of Luther, is due to the self-same widening and deepening of human sympathies that have put an end to slavery and to judicial torture, that have done away with the horrors of Bedlam and the "stone-hold" of Newgate, and that have embodied in the Constitution of the United

States the injunction that "cruel and unusual punishment" must not be inflicted upon criminals.

Now, this general increase in humanity which is discernible throughout the most advanced regions of Christendom during the past three centuries, and which has become especially conspicuous in our own time, is undoubtedly consequent upon the vast increase of industrial at the expense of military activity which has characterized the same period. With the gradual aggregation of men into great and stable communities, and with the accompanying increase in the complexity of social life and in the number of wants which labor is required to satisfy, the sphere of industry has become immensely enlarged and the sphere of warfare has become correspondingly restricted. I do not forget that great and terrible wars still occur, but it remains none the less true that fighting has ceased to be recognized as the principal, or even as a very considerable, part of the business of society. Private warfare, once universal and incessant throughout Western Europe, has become extinct, and in the Northern States of the American Union it has never existed. Brigandage survives only in out-of-the-way corners of the most backward countries of Christendom, such as Spain and Sicily, or else in localities where civilization comes into geographical contact with barbarism, as in Thessaly and Albania, or on the extreme western frontiers of our own country. Dueling has become nearly obsolete, and is dealt with as a crime, while the so-called code of honor upon which it thrived has become an object of general derision. The sword is no longer a part of a gentleman's wardrobe, and laws are framed to prevent the carrying of daggers and pistols. Only soldiers on parade and sportsmen nowadays carry deadly weapons openly. While the sportsmanship, moreover, which simply inflicts death on bird or beast is still held in esteem, emphatic protests are made against the sportsmanship which wantonly inflicts pain, as we have seen in the controversy about fox-hunting between Mr. Freeman and Mr. Trollope. Organized societies exist for the protection of domestic animals against cruel treatment. Even where it is necessary to inflict pain for the purpose of preserving life, as in the profession of the surgeon, we do all in our power, by the use of anæsthetics, to reduce the pain to a minimum. And even where it is necessary to inflict death as a means of protection to life, as in the execution of murderers, the dreadful work

is done as gently as possible, and is kept hidden from the gaze of the public.

It has thus come to pass that, in such communities as England and our own Northern States, the majority of individuals may live all their lives without ever being called upon to take part in putting a fellow-creature to death. Most of us, I presume, have never witnessed a violent death, and know of such things only by hearsay—only by reading the newspapers and books of history. The consequence is that a kind of feminine softness has come over our tempers—a tenderness which shrinks from the very thought of death and suffering purposely inflicted as intolerable. In military ages any approach to such softness of temper was stigmatized as unmanly, and such a type of character could not flourish, because it was unsuited to the conditions of life in a perpetually belligerent community; but in our own industrial age this mild type of character is fostered by all the potency of public approval. But it is not only by restricting the sphere of warfare that our complex industrial civilization has nourished a temper that shrinks from the infliction of pain. Productive activity has operated in this way directly, as well as indirectly, through restraining destructive activity. Social life has lost the half-brutal, half-ascetic aspect befitting ages when life was for high and low little more than a struggle for existence. It is a trite remark that the American laborer to-day possesses many physical comforts which a medieval king was unable to secure. Throughout the greater part of civilized society, the struggle nowadays is not for the bare means of subsistence, but for the attainment of a certain amount of elegance and luxury. The contrast is great between the medieval baron who, in time of peace, had no resources but in hunting or in tournaments, or in getting drunk, and the modern citizen with his theater and opera, his lectures and concerts, his novels and magazines lying on the table, his houseful of pictures and bric-à-brac, his hours of work at his office or in the stock-exchange, relieved by the quiet domestic enjoyment of the evening. Accustomed to all this complicated comfort, our growing tendency to shrink from needlessly encountering with what is disagreeable is still further enhanced, and this tendency produces a visible effect upon our manners. Whatever savors of personal contention, whatever is liable to wound the feelings or disgust the senses, is peremptorily proscribed in the usages of polite society. Compared with English

and American gentlemen of to-day, the gentlemen of Shakespeare's plays talked like boors or ruffians.

The diminution in the atrociousness of persecution, then, is simply one among a hundred illustrations of the change in men's tempers that has been wrought by the change in men's occupations which has characterized the growth of modern society. From being predominantly warlike and predatory, human activity has come to be predominantly pacific and industrial, and out of this change have grown our milder beliefs as well as our milder manners.

We have not yet, however, got to the bottom of the matter. We have accounted for the decrease in the cruelty with which the persecuting spirit has manifested itself, but we have now to consider the underlying causes of the temper of mind which has led men to persecute one another; we have to show, in particular, how it is that, so far as all matters of religious belief are concerned, the persecuting spirit has already greatly diminished in intensity, and will no doubt eventually become extinct among civilized men. We shall find that the change is deeply inwrought with the progress of mankind, both morally and intellectually.

The persecuting spirit has its origin *morally* in the disposition of man to domineer over his fellow-creatures, *intellectually* in the assumption that one's own opinions are infallibly correct. We know very well how children are apt to behave when arguing some question of no great consequence. Their little passions warming with the discussion, they pass from argument to abuse, they call each other hard names, and, at last, they begin to pound each other. Most people, I imagine, must have had experiences of this sort in their childhood. I recollect, when quite a little boy, coming to blows with a school-mate over the question whether Napoleon really won the battle of Eylau. As I came off best in the scrimmage, and as the affair is a quarter of a century old, I am ready to confess that I fought on the wrong side,—the battle of Eylau was not much of a victory, after all! Now the spirit which prompts a child to pound his companion who resists him in argument is identical with the spirit which prompts a man to calumniate, torture, burn, or otherwise put down and injure his neighbor who refuses to reverence the things which he, himself, deems sacred. The more we reflect upon it the more we shall be convinced that at bottom the feeling is the same in the two cases, though in the latter it is accompanied and disguised by

other feelings. Now, what is this feeling but the disposition to *domineer*, to assert one's own personality at the expense of neighboring personalities,—a disposition eminently characteristic of the brute and of the savage, but less and less characteristic of man as he becomes more and more civilized? Bearing this in mind, and remembering the fable of the wolf and the lamb—remembering that a strong passion is never at a loss for reasons, and that no one is more thoroughly the dupe of the false reasons than the man himself who is under the control of the strong passion—remembering this, one has the key to a large part of the history of persecution. The paradox, as regards the "benevolent persecutors," is a paradox no longer. It becomes explicable how a man may sincerely believe himself to be doing God's service, while he is in reality obeying an impulse which, in an ultimate analysis, is neither more nor less than the impulse to domineer over one's fellow-creatures. Thus, though the plea of mistaken benevolence may now and then be properly urged in extenuation of certain special acts of persecution, it cannot excuse persecution, or obscure the fact that its diminution is largely due to a slow moral progress,—to a decrease in self-assertion, and a concomitant increase in respect for the rights of other people.

Very closely connected with this moral root of the persecuting spirit in mere arrogant self-assertion is its intellectual root, in the assumption that one's own opinions are infallible. That persecution can have no theoretical basis or justification, save on the assumption that somebody's opinions are infallibly true, has been so thoroughly illustrated by Mr. Mill in his beautiful essay on "Liberty," that I need not dwell here upon this part of the subject. It behooves us, however, to consider in what ways the progress of civilization has contributed to weaken the spirit of self-assertion and the assumption of infallibility.

Obviously, the disposition to domineer over others, to assert one's own personality at the expense of others, is simply one particular phase of the disposition to kill one's enemies which characterizes human society in its primeval stages of development. It is a temper of mind which was favored by the general condition of things when there were no political aggregates larger than simple tribes which were chronically at war with one another. What I have said above, in considering the effects upon the atrocity of persecution of the substitution of a normal state of peace for a normal state of warfare, will also apply to the present case.

The disposition to domineer over your fellow-man—to make him obey you or assent to your opinions, whether he will or no—is only an evanescent phase of the disposition to kill him if he interferes in any way with the accomplishment of your purposes in life. The very same diminution in the sphere of military activity, attendant upon the aggregation of men into great and complex political societies, which we found to explain the decreasing atrocity of persecution, explains also the decreasing vitality of its moral foundation in the disposition to domineer over one's fellow-men.

The weakening of the assumption of infallibility in one's own opinions is manifestly a consequence of the same set of coöperating causes. When one's life is extremely simple and monotonous, consisting of very few experiences that are perpetually repeated; when one is not often compelled to test the validity of one's own conclusions by comparing them with the different conclusions which other people draw from the same data; when one lives amid a certain group of beliefs, customs, and observances that are never brought into comparison (save, perhaps, in exterminating warfare) with other differing groups;—under such conditions as these it is noticeable that one's opinions are formed with great promptness, and when once formed are unchangeable. These are the conditions under which the opinions of savages are formed, and the chief characteristic in the opinions of savages is their wonderful rigidity; you can no more change them than you could teach a fox, when chased by the hunter, to climb a tree like a cat. Or, consider the case of an ignorant woman, in the lower classes of civilized society. Her opinions about men and things are formed in an instant, by some mental process of which she can render no account, and when once formed are utterly impervious to fact or to argument. She acts on the tacit assumption that she is infallible, precisely as the savage acts. To think of hesitating for a moment and questioning the validity of their opinions, is something which never happens to either of them.

This is the obstinate fashion in which men used to cling to their opinions in that crude state of social development in which each little society was at war with every other, and in which, accordingly, it was impossible to bring a given set of opinions into free contact with another set, within the limits of one and the same society. As men have gradually been brought together into great and complex societies, as their opinions have been

brought more and more into the focus of a common point of comparison, this rigidity of the mental processes—so like the rigidity of the mental processes of the lower animals—has gradually yielded to circumstances such as favor flexibility. With the case of the savage or the woman who comes to scrub the floor, contrast the case of the scientific philosopher, whose opinions are slowly formed after a long and careful weighing of conflicting evidences, and when once formed are held subject to perpetual revision and modification. On considering these two contrasted cases, it becomes obvious how the aggregation of men into great and complex societies, bringing with it increased variety of experience and increased knowledge of the manifold liability to error, has operated to destroy the confident assumption of infallibility which characterizes the bigot and the savage.

We have now made out, I think, a very fair explanation of the way in which the persecuting spirit has been affected by the general progress of human society. But one of the deepest considerations of all still remains to be treated.

In the early stages of society, as illustrated by such writers as Sir Henry Maine, the *unit* of society is not the *individual*, but the *family* or *clan*. In a tribe of primitive savages there is no such thing as individual rights or individual obligations. It is the tribe as a whole that incurs obligations and asserts its rights as far as it is concerned with adjacent tribes. Amid the pressing interests of the tribe, in the fierce struggle for existence, the individual has no chance whatever for especial consideration. The traces of this state of things confront us continually as we study ancient history, where no fact is more conspicuous than the utterly ruthless way in which the individual is sacrificed to the state. The bearing of this state of things upon the history of persecution goes farther than anything else toward explaining that dreadful history. In the early stages of society, when only small political aggregates have been formed, and when each little aggregate is perpetually struggling for its life with adjacent aggregates, the only kind of responsibility known to the tribe is corporate responsibility. The tribe, as a whole, is held to be responsible corporately for the acts of each of its members, and hence it is necessary that the acts and beliefs of every one of the members should be subject to the approval of the tribe. If any one individual does something that is displeasing to the gods, the whole tribe is liable to be punished for the misdeed of this one

person. This feeling was universal in ancient society, and, until we realize how intense it was, we shall be unable to understand some of the most remarkable scenes of ancient history. Take, for example, the frantic excitement which was stirred up in Athens, just before the expedition against Syracuse, by the mutilation of the rude way-side statues of Hermes. It is impossible for a modern man to understand this furious excitement unless he duly considers the fact that, in the minds of the Athenians, the whole community—and not merely the individual criminals concerned—was responsible to the gods for this outrage. The whole community might be visited by the angry gods with famine and plague because of the misdeeds of a few graceless members of the community.

This intense feeling of corporate responsibility pervades all the life of ancient society, and by keeping it in mind we shall understand many occurrences in ancient history which without this key we should find incomprehensible. When we bethink ourselves how far such deeply rooted feelings propagate themselves in history, we shall be inclined, I think, to find in this sense of corporate responsibility the weightiest cause of those deeds of persecution which have made history hideous. To remove the heretic, lest God curse us all for his sake,—this no doubt has been the feeling that, more than any other, has justified the use of racks and thumb-screws.

But with the progress of society toward wider and wider political aggregation, and toward greater and greater political stability, —along with the growing complexity of industrial processes, and along with the partial elimination of warfare,—there has slowly grown up a feeling that it is the individual, and not the tribe or the society, that is ultimately responsible for the individual's opinions on matters of religion. Whatever we may think to-day about the results or the method of Colonel Ingersoll, we certainly do not entertain the dread that because of Colonel Ingersoll's opinions, or because of his bold manner of expressing them, we are in danger of a famine, a plague, or a civil war next year. The aggregation of small communities into great nations, and the growing complexity of the industrial processes by which great nations are sustained, have entirely obliterated in our minds the recollection of the kinds of belief and the kinds of moral obligation which characterized the primitive tribal communities. The phase of feeling characteristic of the primitive community showed

itself all through the Middle Ages, and was mainly responsible for the atrocities which have made the memory of the Middle Ages hideous. The beginnings of modern history, as distinguished from this mere perpetuation of primeval ideas, were signalized by the revolt of Luther against the doctrine of corporate responsibility for opinion, and against the assumption of infallibility on the part of a given body of men.

JOHN FISKE.

CONTROLLING FORCES IN AMERICAN POLITICS.

"Our virtues live in the interpretation of the times."

PARTY names are found the most inapt or deceptive of terms. Sometimes they have in themselves no political meaning, and come into being from the most insignificant of circumstances, or from mere local similitudes. Tory, the name for now 200 years of the great and so-called Conservative party of Great Britain, was borrowed, and applied as an invective, from the name of a set of ruffians in the disturbed districts of Ireland; while Whig, for an equal length of time the name of that party in England which professed to defend the rights of the people against the aggressions of the Crown, was appropriated, and applied, also, as an epithet of discredit, from the name of a certain Scotch cheese-curd, or that of Scotch cattle-drivers. Sometimes—as the names in our own politics of Federalist, Republican, and Democrat—they, in themselves, import more or less clear and broad ideas of principles and policies, but they may be and have been borne by associations of men whose opinions and designs were the reverse of those indicated by the party name. The Democracy of Athens was as intolerant of opposition and of equal rights as any tyrant could be, and the Republic of Rome bore but the faintest resemblance to the republics of the present time. For more than thirty years of its existence, the present Democratic party was persistently devoted to the preservation and propagation of the institution of slavery, and the largest part of its effective strength finally plunged into a rebellion for the same end. Intelligent people, therefore, will place little or no reliance upon the name of a party as indicating what it believes in or what it intends to do.

A successful party is not likely immediately to break up its organization; a defeated one may or may not, according to the

coherence and harmony of the ideas of its members, or to the probabilities of its future success.

The Democratic party, so completely defeated at the recent election, may disband and cease to exist as at present organized; but those of the persons who compose it, who have opinions and purposes in common, will, if their views as to measures are opposed to those of the Republicans, naturally recombine under another name, and the self-same rose by any other name "will smell as sweet" as before. Nomenclature with parties, except as a trap to catch the unwary, is of little consequence. The principles of government shared in by a body of people, and a general concurrence in the methods of legislation and administration by which these principles are to be applied to affairs, and the fundamental and coherent forces that cause political parties, other than associations of mere spoilsmen, to come into being and to endure, are the determinate causes of party existence. Whether it is the cohesive force of a genuine love of liberty and justice protected and administered by law, or "the cohesive power of public plunder," it is, in either case, the community of opinion and of design that is the plain bond of party existence.

Wherever there is a government in which the people are the source and primary administrators of political power, political parties must and ought to exist so long as there is any difference of opinion in the state either as to the principles upon which, or the methods by which, the government ought to be carried on.

The manifest and just objects of a party in a free state are not only the concentration of the voting force of all who think alike upon a single candidate for office, but essentially the free discussion of the points of difference with its adversaries, in order that conclusions may be fairly formed from a view of both sides, and made effective by the largest possible preponderance of voices in the election. All this is too evident for extended discussion, although recent experience in many parts of the United States seems to show a state of things practically quite different from this theory. It is evident that any party which prevents, or in any manner discourages, the free and peaceful discussion of public questions by its adversaries, or which abets or tolerates any interference with free and lawful voting and the true and honest returning of the votes, is hostile to free institutions. If such a party happened (as has generally been the case even in the worst of parties) to contain some really patriotic

members, they would naturally leave it and unite with their former adversaries to overthrow it; for, although they might not agree with them in a single point of business polity, yet the preservation of the liberty of discussion and political action being essential to the very existence of a free government, questions of commerce, or of revenue, or of currency would cease, for the time, to be important compared with the paramount duty of preserving the vital principles of the government, upon which all honest parties must depend. The patriot does not hesitate to reject a tariff or free trade if he is to win it at the expense of stifling a single voice of opposition, or at the price of the false return of a single vote. If he cannot have the chief magistrate he prefers, unless the agents or associates of his party purchase some of the electors chosen by the States, or forge and put forth letters and documents which, if true, show the candidate of the other party to be unworthy of public trust, he does not hesitate to adopt the advice of Plato to the members of his republic, to "choose everywhere and at all times the best of what is possible," and he votes cheerfully with the other party.

If, in a less urgent crisis, the honest partisan finds that the ruling majority of the party he has acted with intends to resort to measures he thinks injurious to the industries of his fellow-citizens, or to the commerce or trade of his country, he proves that the best partisan is he who is independent of party coercion, and places the weight of his influence along with those, by whatever name they may be called, whose measures he has found to be in these respects wholesome.

In the formation and career of parties, chieftainship exercises a large influence, not only as assisting to form just and prudent policies and measures, and, by superior reasons stated with mighty eloquence, bringing majorities of intelligent citizens to unite in their support, but, independently of such broad considerations, from circumstances of personal station and influence derived either from traditional family power and position, transcendent service to the country in war, and long and faithful service in harmony with the views and efforts of some association of his fellow-men, or from the audacious determination to lead and control, from the single and selfish motive of *being* at the head and reaping the personal benefits supposed to flow from such a station. The readers of this review, in running over the

field of history, will instantly fill these classifications with the names of many men whose leadership has borne large results of good or ill to their party and their country,—Pitt, and Walpole, and Thurlow; the Grenvilles,—who, it has been said, in every change of parties raised the question, "What course should *we* take now?"—Marlborough and Wellington, Gladstone and Disraeli—are fair English types of what we are describing. Washington, Adams, Madison, Hamilton, Burr, Webster, Clay, Calhoun, and Grant are, in our own country, illustrations that will be recognized as just. To mention any now officially connected with our public affairs might seem to be invidious; and to refer by name to those of our citizens now living who have disgraced or overthrown their own party by grasping selfishness or unscrupulous methods, would be unkind.

These, we think, are some of the chief elements and characteristics of those party associations and operations which, in a republican government, are a necessity. But it must not be forgotten that this very necessity implies, in exact proportion to the freedom and power of the people, the right of independent personal opinion, and the duty of free personal action in the choice of "the best of what is possible." The lines of Tennyson have a deeper significance here than with the people to which they were applied:

> "It is the land that freemen till,
> That sober-suited freedom chose,—
> The land where, girt with friends or foes,
> A man may speak the thing he will."

Yet how many men have been deluded by a party name or bullied by their party associates into supporting it, when they did not believe in the measures the party proposed, were ashamed of the methods resorted to for party success, and held the characters of the leaders and managers in abhorrence, and their abilities in the smallest esteem.

But leadership and management are nearly as essential to party success as to the success of an army, and the want of good leadership and honest management is often quite as disastrous in the first case as in the last, provided the members of the party are sufficiently informed to know what good leadership is, or sufficiently pure themselves not to be tolerant of dishonest methods in others who manage their canvass.

Falling under one or the other of these alternatives, the

events of 1879 in Maine have been supposed to be significant, while the turning of the scale in two or three States, in the recent Presidential election, by the official and persistent circulation of fac-simile copies of the forged "Morey letter," alleging it to be genuine, is a striking illustration of the unpleasant fact in politics that temporary success is not difficult to be won upon grounds that are shamelessly false, and that men standing by selection as the heads of a party and the directors of its affairs will persist in circulating a forged paper intrinsically suspicious, after it has been denounced, in order to gain votes for their candidate, and who, even when the perjury (suborned by somebody, and paid for out of party funds) committed to screen the guilty has been confessed, take no steps to aid in pursuing the crime to its fountain head, and do not even apologize to the voters who have been deceived by their indorsement of the genuineness and their circulation of the forged letter. When the chiefs of a party reach such a position, either their party must itself be profoundly corrupt or be very wickedly represented. In the younger days of the republic, the Democratic society of Philadelphia declared as a fundamental principle of true Democracy, "that in the choice of persons to fill the offices of the government, it is essential to the existence of a free republic that every citizen should act according to his own judgment, and, therefore, any attempt to corrupt or delude the people in exercising the rights of suffrage, either by promising the favor of one candidate or traducing the character of another, is an offense equally injurious to moral rectitude and civil liberty." These golden words are as true in 1880 as they were in 1795, and, in the light of some phases of modern politics, they warn us of one of the greatest perils to republican institutions.

Political parties, like all other associations of men, necessarily take their nature and tone from the average of the character and intelligence of the persons composing them. In the long run they are not much better and not much worse than their individual members, and so, to be useful to the state, their principles must be, if not perfectly just, at least sincerely and intelligently believed in, their objects definite, and their methods, both in elections and in legislation and administration, fair and honest.

The history of parties in the United States for the first forty years under the Constitution, fulfilled in general these conditions. The division of the first parties into Federalist and Republican,

arose from necessary and intelligent differences of opinion in respect of the best means of securing the States and the people of the Union against the danger of anarchy from the want of sufficient central power, and from the unrestrained excess of democratic notions in government, which had wrecked earlier republics, on one hand, and from the danger of a relapse into an aristocratical and *quasi*-kingly rule, such as that from which the people had just liberated themselves, on the other. Both parties were sincere, and their leaders, generally, pure and patriotic, and, to a degree, each was right, for there was danger in both directions. One great social element—the institution of slavery—constantly tending, as with the force of gravity, to an aristocracy, existed in many of the chief States of the new Union, although it may be safely concluded from the ordinance of 1787, from the provisions of the Constitution, and from the writings of great political leaders like Jefferson, that it was expected that it would not be allowed to spread under national authority, and that it would gradually become extinct. Other tendencies to the consolidation of power in the hands of the few existed, as did also, in the opposite direction, the extreme and fanatical opinions of the old commonwealths men, and the ideas that liberty implied the right to resist all unpleasant laws, as was soon illustrated by the whisky insurrection and other disturbances.

We have not space to trace in detail the course of parties through successive administrations down to that of General Jackson, beginning in 1829. Names and organizations of parties changed, different administrations succeeded each other, but the course of the government was much the same; order was maintained, justice fairly administered, revenues collected and accounted for, industry and trade developed, and faithful administrative public officers were not made the victims of their liberty of opinion and dismissed for that reason with each change of President. And so strong was the devotion of the people to the Union and the Constitution, that even a suspicion that something hostile to their permanence was contemplated by the convention at Hartford in 1814, proved destructive to the existence of the Federalist party.

With the election and administration of Jackson began the effective existence and domination of the present Democratic party, and of the opposition to it by the Whig party and the Republican party that succeeded it.

The Democratic party (itself in some sense a coalition), by its success in that election, accomplished the theoretic good of breaking down the coalition that elected Mr. Adams in 1825; for few things are more degrading and injurious to the public welfare than most coalitions of parties. As they are not usually founded upon any coincidence of principles or policy of government, but merely upon a common desire to defeat a common adversary, they are in their nature corrupting, and their success a question of present spoils, leaving opposing views of government to be quarreled over by the chiefs and leaders without having been passed upon at all by the people at the elections. Their utter and almost ludicrous hollowness is well illustrated by the recent circumstance of a gallant and estimable hard-money Democratic candidate for President feeling compelled to congratulate a gallant and estimable Greenback Republican candidate for governor of a State, upon the triumph of great principles in his election by the aid of Democratic votes!

From 1829 to the rebellion of 1861, the preponderating influences within the Democratic party were devoted:

First, and chiefly, to the protection of the institution of negro slavery, and to its expansion into the Territories and new States, with all its aristocratic consequences of creating a small body of great land-holders, of confining education and political and social power to the hands of a few, who would exert upon the laws and other affairs of the republic the same quantity of power that in the free States was distributed among the whole body of the people.

Second—To the propagation and defense of the dogma of so-called free trade, or, as it has been lately so well expressed by the national conclave of that party, a "tariff for revenue only," under which it was supposed that the slave-holding cotton-grower could exchange his products for those of the underpaid labor of Europe without giving any encouragement to the free labor and free schools of the non-slave-holding States.

Third—To the confinement of the national jurisdiction and the national laws within the narrowest limits in respect of the election of representatives in Congress, the privileges of citizens of one State domiciled in another, and the improvement of the means of internal communication between the States.

Fourth—To the repression of the jurisdiction of national courts, and

Fifth—To the propagation of the doctrine that it was the

constitutional right of each State to secede from the Union whenever it should think it best for its interests to do so.

The overthrow of the rebellion has removed the first of these objects from the arena of practical politics. Whether the last has received its quietus remains for the future to determine. The party has not in any of its national conventions pronounced against it, and the occurrence from time to time in the proceedings of the last and present Congress of the phrase, "war between the States," as descriptive of the rebellion, would seem to indicate that the doctrine is not abandoned. In respect of internal improvements, the attitude of the party appears to have undergone a change since the rebellion. The votes of its members in Congress are now almost unanimous in favor of expenditures for such objects, which are "liberal" to the point of recklessness, and are, in many instances, for works that neither party had before supposed to be, in any sense, national in their character. In regard to the other topics referred to, the Democratic party appears to occupy its old ground with a more aggressive tenacity than it had shown in its earlier history. In the domain of jurisprudence, its members in Congress—where the generalities and evasions of the platforms of conventions disappear, and where the real differences between parties are laid bare—have endeavored to cut off or cramp the jurisdiction of the national courts in cases that concern the administration of national laws, and the rights of persons in their character as citizens of the United States,—a jurisdiction that the Supreme Court, when Marshall was its chief-justice, held to be clear, wholesome, and necessary,—and laws some of which in their character are precisely like those recommended and signed by Jackson when he was President, on the occasion of the attempt by South Carolina to nullify and resist the constitutional legislation of Congress.

In the field of economic politics, the position of the party, as shown by its platforms of 1876 and 1880, and in Congress, is still in favor of laying customs duties in such a way as to produce the greatest revenue from a given commodity, without any reference to securing the labor of our citizens against unfair and injurious competition in foreign countries; and it has, in Congress, given convincing evidence of its opposition to any definitive resumption of specie payments by voting, with a unanimity nearly, if not quite, absolute, against the resumption act of 1875, and afterward passing, in one House, a bill for its repeal.

What definitely are its collective views (except as to the underweighted and overvalued silver dollar, which it, with the aid of some Republicans, voted to create) in relation to other aspects of the currency question,—such as the legal-tender quality of paper money in time of peace, the expansion of the paper issues of the government, and the national banking system,—it is not easy to say with certainty. Its platforms are not clear upon these points, although the speeches and votes of its members in Congress have usually been in favor of an expansion of the issues of government paper as "indefinite" as that expansion of territory which some of its great lights used to advocate. It follows from such a policy that the system of national banks must be superseded and abolished, and the whole volume of the currency, and so, in a degree, the relative values of credits, property, and labor, made to depend, from year to year, solely upon the discretion or the temper of a Senate and House of Representatives.

The adoption of the new constitutional amendments, consequent upon the events of the rebellion, has put the old question between State and national jurisdiction, in certain respects, into an attitude of new prominence and importance, and has drawn into dispute, also, the extent of the power of Congress over the Congressional elections, which the original Constitution, in plain terms, placed under the paramount control of the national government. These amendments need not be quoted here. They are familiar to every reader of the REVIEW. The first (thirteenth) prohibits slavery. The second (fourteenth) declares a national citizenship and prohibits any denial of equal civil rights, etc.; it is the essence of the Magna Charta of our English ancestors, and in perfect harmony with the spirit of the original Constitution, and secures, under national protection, all the rights upon which civil liberty and free government depend. The third (fifteenth) prohibits the denial of the political and conventional right of suffrage on account of race, color, or previous condition of servitude.

All these amendments provide, in terms, that Congress shall have power to make them practical realities by legislation, just as the Constitutions of the States provide that their legislative power shall make laws to carry their provisions into effect for the security of liberty and good order in society. In these amendments, then, there is, under our system of government, no diminution of true State rights, for they only secure those rights

without which the political unity and welfare of the whole people and of all the States could not exist, and they logically provide that the legislative power of the whole people and of the States collectively may be exerted to enforce them. They are in furtherance of the provision of the Constitution of the fathers, that "the United States shall guarantee to every State a republican form of government." The provision in the original Constitution in regard to the election of members of the House of Representatives, is as follows: "The times and places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make and alter such regulations, except as to the place of chusing Senators."

The doctrine of the Democratic party as to these amendments is that the duties they involve are the duties of the States in their character as such, and that no legislation by Congress operating, like other laws, upon the persons of citizens is "appropriate." This is shown by the language of the party platform of 1880, which "accepts" these amendments, but makes no reference to the laws of Congress to carry them into effect; and by the debates and votes in Congress, where the party has opposed and voted against *every* feature of legislation to carry them into effect, and has endeavored to procure the repeal of all laws already enacted for that purpose. So, too, in regard to the laws of Congress providing for the registration, scrutiny, and other means of securing fair and peaceful elections of members of the House of Representatives, the same party has opposed them all, and sought their repeal even to the extent of endeavoring to coerce the President into agreeing to such repeal at the peril of having no appropriations of money with which to carry on the government, although it is a self-evident proposition that the national House of Representatives is a body representing the whole people directly, as one people, and that the citizens of every part of the country have a direct interest in the freedom and fairness of the elections for members in every other.*

* It is a valuable illustration of the slowness with which great reforms for the protection of liberty come to be truly understood by those whose party education has led them to look in an opposite direction, that an able and representative Democratic writer in the last number of this review still styles these measures "usurpations," and believes their object and tendency to be the possession of irresponsible power.

In all the respects before mentioned, the present attitude and future policy of the Republican party can be understood from what has been stated of what it has done, and of the position of the Democratic party.

In relation to the preservation of the constitutional rights of the States, as it respects the chief of the matters that the founders of the Union truly thought vital, viz.: the election of President and Vice-President, the records of Congress show that the Republican party has voted for laws binding the authority canvassing the votes of electors to recognize and obey the decision of each State in regard to all questions of the choice of its electors, and that the Democratic party has voted against such laws, and endeavored to draw to the two Houses of Congress an unlimited and undefined jurisdiction over the subject. Such, then, is a general sketch of the position of the two great parties of the country at this time. The people and the States in the election just past chose between them. What is their future?

It is a grave and misleading mistake to suppose that the present opposition of parties is in any correct sense sectional, although every "Southern" State has, *per fas aut per nefas*, voted for the Democratic candidate, and every Northern and Western State (with three exceptions, produced, it is believed, by the crime of the forged "Morey letter") has voted for the Republican candidate. *This division of parties is essentially institutional, and not geographical.* Every State in which slavery recently existed has voted for one thing, and every State (with the exceptions named) in which slavery has not (if ever) existed within more than half a century, has voted for another thing. No one will deny that the same result would have occurred had the people of Louisiana, with her institutions and history, been established on the shores of Massachusetts Bay, and the State of Massachusetts, with the principles and traditions of her people, grown up at the mouth of the great river that waters eighteen degrees of latitude, and bears on its beneficent stream half the commerce of the continent. If geographical divisions were the cause of this so-called sectionalism, all the attacks made upon it would be a warfare upon geography, and might continue forever without effect. The difference is a difference of ideas and designs depending upon the history, habits, and institutions of the people of the respective States, and not at all upon the particular part of the country they happen to occupy. When the ruling classes of the late slave-

holding States come to be imbued with, and put in practice, the principles of the old free States,—as no doubt they will in time,—there will be no longer any broad sectional divisions in politics. It may be hard for the small portion of the people of the Southern States who have been educated and accustomed to govern, and to regard labor as servile, to find themselves suddenly outnumbered by a mass of political equals who have been hitherto nothing but laborers and chattels, and who, as a whole, are uneducated and inexperienced; but this is a misfortune inevitable from the defeat of the rebellion, and one that with time and justice will grow into a blessing. It cannot be cured, consistently with the idea of a republican government founded on equality of rights, by violent domination, or by the repression of the education of the liberated race. The healing elixir will be found in a totally opposite course. Other States feel and bear with patience analagous evil influences arising from the importation into great sea-board cities and the adjoining regions of vast numbers of foreigners who become citizens, and vote without education and without adequate knowledge of the true nature and operation of our institutions; but a generation or two assimilate these untoward elements into the life, the orderly freedom, and the restraints which regulate the rest of society. The Democratic party, in every effective sense, is, as it was before the rebellion, nothing else than a party founded and existing upon the ideas of a slave-holding system, which has always been, wherever it has existed, a corner-stone of aristocratical governments. The party has survived institutions that have, happily, perished. Its professed, but quite inconsistent, championship of State rights, is based solely upon a resistance to the new amendments of the Constitution being practically enforced by the national authority, because it is known that many of the State governments would not enforce them, notwithstanding the fact that in the old free States both their spirit and letter are accepted as easily as is the sunshine and the rain. Of such a party we may repeat the phrase applied to one of the earliest of Democratic parties: "And of all the enemies they had, they themselves were the most fatal." When the effective, but sometimes slow, influences of time and justice, security and education, cure the evils that in these States now affect both races in general, and, perhaps, still more severely those patriotic freemen who bore everything for their love of the Union during the rebellion, or those

who, with absolute and affirmative fidelity, accepted all the consequences of its overthrow, and endeavored to defend the political and civil equality of the liberated race, the mainspring of the Democratic party will be broken, and the inhabitants of all the States will be at one in respect of the fundamental principles of the government, and, in general, in respect of the means by which a real and law-regulated liberty is to be secured, and there will be no longer any apparent geography in politics. There is no such diversity in geographical or climatic conditions in our vast republic as, with the existence of the railway and the telegraph, can create, save in a very small degree, sectional differences in regard to questions of political economy in legislation, or of policy, foreign or domestic, in administration. The importing and mercantile classes may be in favor of "free trade," thinking that, as in the case of the abolition of the duty on coffee,—which was not produced at all in this country, and which abolition brought no benefit to the consumer,—it will increase their profits, while the farmer and the mechanic may favor "protection"; but these influences will operate indiscriminately in New England and the Gulf States, in New York and on the Pacific coast. The Greenbacker may pursue his delusion, or his philosopher's stone, but he and all his fellow-citizens will know that a system of currency and finance that is good for one must be good for all, or the reverse, and that there can be no sectional collision of interests concerning it; and so of everything about which intelligent equals, having a common interest and a common destiny, may differ.

Will the controlling men of the old slave States, who are the backbone of the Democratic party, not see, then, that the victory of the Republicans is not one of passion or animosity, or of a section, but that it is a triumph of the spirit of perfectly free and equal institutions, such as are established by the Constitution as it now is; that it means peace and good-will to all and every part of a people who, in this new era, are, through universal education, undisturbed and well-ordered liberty, and free inter-communication and development, to grow more and more homogeneous and prosperous? If they will see it, they will see that their "giants' strength" should not be exerted in the direction of reaction, or to the retardation of the inevitable consequences of the constitutional liberty that is now secured to all the inhabitants of this republic, as we may hope, forever. Whatever

may be the future of the present Democratic organization, it may fairly be expected, with the brave, just, and steady administration of affairs upon the principles of the Republican party that we have a right to anticipate, that out of the discussions and events that have taken place the minds of many men who have called themselves Democrats have received impressions and formed conclusions touching present parties and their measures, and future politics, that, like writing in sympathetic ink, will come forth in the warmth of good government to the support of that party which increases the public credit and reduces the public debt, which provides an equable and universal currency of fixed value, which recognizes and fulfills the duty of so imposing taxes and duties as to develop and encourage the industries of its own people, which practices a wise and rigid economy in all departments, and which endeavors to elevate and promote the character and stability of the civil service of the country. These are the things that, founded on the great fundamental work of defending liberty and order, the successful party has striven with some success to accomplish, and to which, beyond doubt, it will continue to devote itself by whatever name it or its adversaries may be called. *Qui transtulit, sustinet.*

This article is already too long to allow the present discussion of some other interesting topics of politics not unlikely to arise in the future and to create party divisions—such as the relations of the United States to the interoceanic canal, the question of political divisions founded on race or nationality, and of similar divisions as affected by sect. All these, interesting and important as they are, must be left to other hands. In the immediate future, it is not probable that the formation of the great parties will change, and, until the chief questions that now divide them are settled in practice as well as in theory, there is no reason why they should. Each will pursue its characteristic methods, and bear or enjoy their logical results, but personal fealty to party that is not founded on an intelligent belief in its proposed measures and a willingness to share the responsibility of its modes of contest, will grow less and less, and in the same ratio parties will become more pure and more tolerant, and fulfill more nearly their true and valuable ends.

GEO. F. EDMUNDS.

ATHEISM IN COLLEGES.

THE skepticism which has somewhat abated its force in Germany, and is at least stationary in France, is passing over England as a tidal wave of great breadth and force.

At no time in the history of the English nation has unbelief been so general or so deep-seated; nor has it ever before established itself on ground so various and so fundamental. The skepticism of to-day is not one primarily of criticism and of fault-finding, but one which belongs to the way in which the material world, in which man and humanity, are viewed. It implies great alteration in the rational outlook of men, and can be modified only by equally radical changes.

This unbelief has as yet met with more obstruction in America than in England, and cannot be said to have taken any large possession of the ruling thought among us. Our religious and philosophical defenses are by no means broken down, or even seriously breached. Any movement of this character that is at all general or vigorous is likely to show itself in our colleges, and to propagate itself by means of them. Educational seats are naturally centers of philosophical thought, and this thought it is which is immediately involved in unbelief. New views, wider and more just views,—so thought,—enlist nowhere more enthusiasm in adoption and extension than among young men in course of instruction. It is thus a question of great interest: How far is this unbelief finding its way into American colleges?

To answer this question wisely, we must understand the causes of this skepticism, more especially in its progress through England.

The present unbelief in England is no occasion of reasonable surprise. The preparation for it has extended through centuries. It is a perfectly normal result. The real thing to be explained

is, why these fruits of unbelief have not ripened sooner. A philosophy of sensationalism, materialism, skepticism, and agnosticism has formed the deepest and strongest current of English speculation. Atheism is the necessary upshot of such a line of thought. If the English mind had had the agility and freedom of the French mind, we should have seen long ago in England an age of encyclopedists. The English are so preëminently practical, are so ruled by social sentiment and precedent, that it has always been easy for men like Locke and Priestley to hold fast to religious faith while assiduously undermining it. The words materialist and atheist have ever been in England vigorous deterrents, no matter how justly applied. Englishmen have not been willing to be called what they really were, because the social sentiment and the speculative sentiment have had distinct and divided power. The philosophy of England, now dominant for more than two centuries, expresses the most fundamental ground of its unbelief. For all that time, speculation has been steadily disparaging the powers of rational insight and faith, and closing up the avenues to the spiritual world.

Agnosticism, though a denial of philosophy, an assertion of inability to reach ultimate truths, never for long retains this position. It soon begins to occupy the ground cleared with its own statements, and to turn ignorance into a system of skepticism. It is like a barbarous host that burns the palaces of Rome, and then pitches its tents among their ruins.

A philosophy of agnosticism, what can it issue in but atheism?

The thing to be explained is that this unbelief has broken out just now. The reason of this we find in science. Science is skeptical or believing, according to the philosophy with which it is associated. A vigorous science gives to a faithless philosophy boldness and positiveness of assertion. It carries over the value of its own work and the undoubted truth of its own conclusions to the affiliated speculations. This has been the state of things for years in England. Such men as Tyndall and Huxley, with high claims in science and no claims in philosophy, have brought the strength of the one great intellectual movement of our age into the service of unbelief. This union of the feeblest of philosophies with a stalwart science has been the parentage of current skepticism.

A third reason has also been operative. There has been a

keen perception of the failures of religious belief, and an unsparing criticism of them. It has been felt that indolent faith and an easy reception of the supernatural have cut men off from that very inquiry into law, and that obedience to it, on which social progress is conditioned. The dogmas of belief, instead of showing the progressive force of truth, its power to deepen and expand vision, have at times, in dogged reiteration, planted themselves directly in the way of progress.

We say nothing of the justness of identifying fundamental principles in the spiritual world with the phases they assume among men, and the faults of the persons who chance to defend them.

The merely practical man may well criticise the short-comings of persons and organizations; it belongs to philosophy to discern the interior force of ideas and their ultimate office. It has to do, not simply with what is, but with what may be. But, narrow as this critical method is, it has always been prevalent and effective. A good deal of bitter skepticism only expresses the censure called out by a formal and ineffectual faith. Witness the unsparing arraignment of Protestantism by Frederic Harrison, in the October number of the "Nineteenth Century."

These being the general conditions of the prevalent atheism, we direct our attention to the way in which they affect American colleges. In these colleges the Scotch philosophy, as offered by Stewart and Hamilton, is more frequently taught than any other. This philosophy stands in dogmatic opposition to English sensationalism, though profoundly affected by it. It does not fully trust or give clear explanation of those rational powers by which mind rises beyond the world of sensible impressions into that of spiritual truths. This philosophy, however, resisting on its dogmatic side the skepticism of materialism, offers a temporary support to faith. The foundations of belief in our American colleges, though not entirely well and thoroughly laid, are able to resist, at least for a time, the agnostic attacks which English philosophy has cherished. Moreover, the science of this country, in the hands of such men as Professors Gray, Dana, Henry, has not generally added to itself a destructive speculation, prompting perpetual efforts at the solution of the ultimate problems of philosophy, the existence of matter and mind, their nature and dependence, with the theistic questions which accompany these inquiries.

Philosophy is taught with moderate success in our colleges, and the final results of belief must depend largely on the form which it shall hereafter assume, and the force it shall display. If we secure vigorous life in this direction, we have nothing to fear; if we cannot, the gods themselves cannot help us. A profounder philosophy, a philosophy that takes root within itself, this is the demand of higher education, as it is the demand of higher thought. The English mind has striven to draw the supply of its spiritual life so long out of the dry roots of sensationalism, hidden in the works of Locke, Hume, Hartley, Mill, and Spencer, that it can no longer resist any wind of doctrine, no matter how destructive it may be.

There is a diverse moral attitude in different American colleges, turning somewhat upon size. Size is itself a modifying force of considerable moment, and is connected with the presence of other influences of still more moment. Most American colleges are under some definite form of religious faith, and look to some one denomination for their chief support. It is comparatively easy to establish and to maintain in a vigorous type the prevailing temper of an institution, if the institution is small. As it increases in numbers, this effort becomes more and more difficult. The restricted tendencies are broken in on in a growing variety of ways.

There is also a strong natural selection in these well-defined colleges, exercised toward the students who attend on them. They gather their own by an extended moral attraction. This elective force becomes weaker as the college increases in power, and more general influences take its place.

When an institution achieves a national reputation and position, it attracts to itself professors of varied ability and marked power. Ambitious and progressive minds are drawn toward it. The result is a much greater variety of spirit in its professors, and less willingness to subordinate their methods and conclusions to any prevailing view. Talent becomes a leading consideration, and talent is restive, and more or less eccentric. It is impossible, therefore, in a large and popular institution, to bind instruction in any close way to any definite religious result.

The students of such institutions are not only gathered from all classes; wealth is a more common possession with them. The necessary, and still more the incidental, expenses of the larger colleges are greater than those of the smaller ones. There is

probably no one external circumstance that so reduces both intellectual and moral force among young men as the possession of wealth. An institution, one-half or two-thirds of whose students are wealthy, is likely to be characterized by an easy-going temper, notwithstanding the brilliant exceptions it may offer.

A singularly striking confirmation of these facts is presented in a recent statement coming from the American Board of Foreign Missions. Perhaps no organization in the world is making to-day a more pure, vigorous, and unexceptionable effort to disseminate theism in its Christian form than the American Board. Of the one hundred and thirty-nine missionaries in its employment who are graduates, thirty were graduated by Amherst and one by Harvard; twenty-two by Williams and fifteen by Yale,—in the period covered, Yale had some four times the number of students at Williams,—eleven by Beloit, and one or more* by Michigan University.

There are two kinds of skepticism, one of which is more frequently met with in the larger, and the other in the smaller colleges. There is a skepticism of spiritual weakness, which arises from the slow undermining of personal faith and a distinct moral life. This is the skepticism which is most prevalent in the larger institutions. It is not often demonstrative, for it has not sufficient force of conviction. If it becomes boisterous, the animus of the impulse is likely to be a reckless immoral feeling. This form is doubtless most to be dreaded in a long period, as indicating a decay of spiritual powers. In the smaller institutions, the skepticism that ventures to show itself is likely to be more bitter, to spring from direct antagonism to current forms of faith in some of their manifestations, or from a philosophy borrowed in an empirical way from science. So far as this form of unbelief exists in larger institutions, not being subjected to contradiction or pressure, it easily unites with the first form.

This evil of unbelief, which is not as yet, in any sense, formidable in American colleges, is to be regretted, first and foremost, because of its immediate relations to spiritual truths, and secondly, because of its connection with morals. The fundamental inquiry is: What is the truth in the premises? A skepticism that compels us to lay more broadly, more clearly, more consciously, the foundations of faith is not altogether to be deprecated. We have occasion to be alarmed only when the

* The report is not sufficiently definite to decide the point.

destructive processes so exceed the constructive ones as to leave the minds of men for a period devastated and waste.

Existing agnosticism is a rhythmical swing of the human mind, sure to find compensation in due time. Like all blind tendencies, it should be restrained, modified, and put to service. This can be done only by a more clear assertion of the correlative truths of spiritual powers. The nature of man settles the limits of all knowledge, and to maintain a sensational, materialistic, or empirical philosophy of any phase for any considerable period, and not to encounter the accompanying agnosticism passing over into atheism, is impossible. It is worth recollecting that Amherst and Williams have been marked for a long period by peculiarly vigorous instruction in psychology.

Philosophy, in spite of its difficulties, in spite of its fruitless discussions and its manifold errors, can alone settle the limits of knowledge and the nature and authority of its various forms. To deny philosophy is, under the deceptive appearance of agnosticism, to make way for one of the feeblest and most self-contradictory forms of philosophy, with the added evil that it does not know itself by, and is not known by, its true name.

Philosophy is the only remedy for philosophy, the only remedy for skepticism, itself a philosophy. The appeal is to reason, and from this appeal there is no escape. Revelation affords no refuge. Dogma is no defense, but a portion of the danger rather. It will be felt by many that the evil stated in this form is vague, and the remedy still more so. Men love specifics, only their specifics turn out to be no specifics, and they are thrown back on the great current of events, flowing darkly on under general laws. This difficulty of unbelief, so far as it is a difficulty, is in men's thoughts, and there it must be encountered.

But atheism is also especially to be deprecated from its relation to morality. The danger at this point is somewhat less real and much less urgent than it has often been thought to be.

Religion is not so much the foundation of morals, as morals the foundation of religion. Though we have often an absolute denial of the first truths of religion, we have no such denial of those of morals. Indeed, the unbeliever, more often than otherwise, takes pains to prove that the grounds of ethical conviction remain with him undisturbed. While this is hardly true, it is plainly not true that morality immediately shares the fate of religion. A complete view of our moral nature leads us to faith;

but the grand facts of that nature remain, and must receive some sort of interpretation, no matter how extended our unbelief. Moreover, much the larger portion of enforcement in morals does not spring from pure moral insight, but from the conventional vigor which certain principles of action have acquired. While, therefore, religion furnishes the strongest incentives to upright action, it by no means furnishes all the incentives, and public morals may remain for a considerable period without material alteration in a time of general skepticism. To tear away the superstructure of religious belief is to uncover the foundations of morality, but not to remove them; is to expose them to wasting away, but is not itself to subvert them. It is as vain, however, to expect that agnosticism will not in the end modify morality, as it was to expect, during the long years in which it was ripening, that a philosophy of sensationalism would not prove destructive to faith.

Practical morals do not follow so immediately on the fortunes of speculative truth as to make the danger of unbelief imminent in this direction. Yet, the slowness of the movement renders it only the more difficult to regain any ground that is once lost. As are our beliefs as to our own nature and destiny, will ultimately be our action. These are the two lines of development that are being brought into harmony by all forces, speculative and practical. It would be difficult at present, except hesitatingly in single cases, to refer any immorality in our American colleges to unbelief.

In an exigency of this sort, arising from a threatened waywardness of speculative inquiry, great scope of vision and much wisdom are called for. The facts must be accepted and shaped, rather than denied and pushed back.

The skepticism of our time includes a wholly legitimate line of action; even more than this, it is incident to the highest exercise of our powers. No repression and no resentment are in order. We have quietly assumed in our discussion that our own faith is correct, and that the faithlessness of atheism is weakness and error.

While our language fittingly proceeds under this form, the discussion involved is not itself to be waived in any of its branches, or approached in any dogmatic spirit. Much existing unbelief is a just reaction against irrational pressure, is an assertion of individual freedom. While we would not deny a certain authority

to instruction, we would deprecate authoritative instruction in our higher institutions as any remedy for existing or approaching atheism.

The evil is intellectual, and admits only of an intellectual remedy. It is a weakness of philosophy, and the breach in the dike must be repaired where it exists. Truth is just as capable of eliciting enthusiasm among young men to-day as ever before, but it must be simple truth, that is offered in its own light. The captivating force of the empirical speculations of existing philosophy is due to the apparent proffer of fresh and aggressive truths.

If we cannot waive free discussion, much less can we expect to huddle young men into sheep-folds, and to make no provision for higher education except in institutions of definite and pronounced faith.

Churches of all sorts will do well to remember, constantly, that they cannot maintain their own life except in open, breezy conflict, nor can they maintain the spiritual life of their own young men on easier terms. Veterans are made only for the open field. The notion that the Christian Church is to monopolize and manipulate education is antique for our time and for all time. This principle is most unfortunate for the churches themselves; we are not to draw back from inquiry, simply because we cannot control it, simply because it is inquiry. A confidence in truth, and a free and quick exposure of it to all the hazards of war, are the only available and the only sound policy.

We are also not to strive to identify morality with religious belief. While within our own circle we may constantly support action by the whole scope of reason, it is folly to deny or to pull down any of the more narrow foundations of society. Indeed, these foundations are in part what the rational edifice of enlarged spiritual life is, in a truly spiritual evolution, being built upon. When we cannot work with men by virtue of later and larger convictions, it is well to get back to the primary and rudimentary —rudimentary in human history—principles at which many ways meet. We should be glad that the social world does not collapse while our special theory of it is under discussion.

We are to defend ourselves in this conflict with unbelief by precipitating it rather than by postponing it. We shall do this best in our colleges by providing professors able and active to the pitch of our times in their own departments, and men who are large minded and earnest.

Timid or illogical leadership will not long defend our young men from unbelief, and will make the danger extreme when it comes. Herein is included the fundamental principle, that the vigorous mind is not to be hoodwinked or narrowed in any way, and that we are not to have any undue anxiety to lead it to any one conclusion. Our safety will be found in many leaders and much discussion.

Every able instructor inevitably pushes hard enough the minds he encounters. We should be jealous of the integrity of the mental processes of the student, for we wish him to show this integrity in the actual encounters of the world.

Above all, it is in order to recognize the trend of our times, the immense reaction that is on us, and not be driven by it. Mind, as a power of thought, and philosophy as a means to the deepest insight, have suffered and are suffering every form of disparagement. A current philosophy calls itself positive which is primarily made up of negations; and a faith of agnosticism is struggling into being which implies a penetration into the very substance of things, and the innermost laws of progress.

It is time that we should call things by their right names once more, and should be able to see that those who laugh at metaphysics do it only as a means of introducing it in its most unverified conclusions.

So far as we have supreme confidence in any remedy of unbelief, it is found in a bold, patient, extended discussion of the grounds of belief, where they alone are found, in the nature of mind. No matter what have been our failures, we have still to encounter the untiring waves, strong in the faith that we are approaching undiscovered lands hidden below the horizon.

JOHN BASCOM.

THE RUINS OF CENTRAL AMERICA.

PART V.

AGAIN I am at Teotihuacan, my purpose being to explore the place thoroughly and bring to light the resemblances and analogies between it and Tula.

On the first day of October, I had four ditches opened on the four sides of the common of San Juan de Teotihuacan, intending that they should meet in the middle. The two ditches on the east and south yielded only a few fragments, and I soon abandoned them, employing the men elsewhere; but those in the north and the west gave satisfactory results: in them we found twelve graves of children and five or six of adults, as I suppose, for I judge by the vases, urns, etc., and not from the human remains, as the bones were reduced to dust.

The vases are very different from those of Tenenepanco and Tula. They are few in number, are made of a black clay, and in some of them the designs are in intaglio. They are large, measuring from six to eight inches in diameter at the base, and are but little more than three to four inches in height. The rim is flaring. Usually these vases occur in pairs, but unfortunately they are so old, and the earth around them is so hard and adheres to them so firmly, that, despite all our precautions in detaching the adherent clay, they fall to pieces. Out of twenty of these vases I have been able to save only one entire. Four others are in three or four pieces; these I preserve.

The human remains were in such a state that it was impossible to determine in what position the body was laid. The children were buried in a sort of urns with perpendicular rims. The head rested on the bottom of the urn. I have found two skulls almost entire, but they crumbled to dust on the touch of a finger. I have been unable to preserve any of these mortuary urns whole, but I keep one, which is in three pieces, as a specimen.

I also found a great number of little clay figures: a very handsome and very artistic mask, admirably modeled; a hatchet; a lot of small round stones—a sort of marbles; and several knives of obsidian—the finest, the neatest, and the lightest I have ever seen. I found also two round pieces of slate which passed as money, and a number of arrow-heads.

But these finds are only incidental. I did not revisit this place merely to discover specimens of pottery, but to unearth some habitations comparable to those of Tula.

October 2d.—This morning I went about among the ruins, looking for indications which should decide where the principal excavations were to be made. What I wanted to find was a Toltec house, for to my mind Teotihuacan is Toltec. This city is much larger than Tula. It is, indeed, of vast extent; and, without indulging in any stereotyped reflections on the vanity of human greatness, I will say that a more complete effacement is nowhere else to be seen. The whole ground over a space five or six miles in diameter is covered with heaps of ruins—ruins which at first view make no impression, so complete is their dilapidation. It is an ocean of ruins, and I shall be singularly fortunate if I succeed in the object of my quest, and discover an ancient habitation. This habitation will, in my opinion, settle a question warmly debated among Americanists, some holding that Teotihuacan is much more ancient than Tula, that indeed it was anterior to the Toltecs. Now I mean to prove that Teotihuacan is a city of the Toltecs.

On carefully examining its ruins, one is amazed at their extent and their grandeur. But this is accounted for by the multiplication of the Toltec race, which, during the four centuries of its sojourn on the plateau of Anahuac, spread out to the shore of the Gulf of Mexico and the coast of the Pacific. Tula, the ancient capital, continued to be their holy city, but they founded other cities, other centers, like Teotihuacan and Cholula.

If these cities are larger and grander, if the pyramids are loftier and more imposing, the reason is that the people who built them were richer, stronger in numbers, and more highly civilized than were their ancestors when they first arrived on this plateau. But cities, pyramids, and dwellings all alike have their originals at Tula.

I willingly accept the opinion of those writers who assign to Teotihuacan a very high antiquity. But the ground on which I

agree with them is not the ruinous aspect of the edifices, but an actual examination of the strata of cement forming the public highways. These strata consist of sand, lime, and broken tetzontli, with an admixture of fragments of pottery, belonging evidently to a prior civilization. Of course the makers of the roads did not make articles of pottery and then break them up and use the pieces; they took such materials as were at hand—the soil itself, which was here in a great measure made up of the rubbish left by earlier populations. Thus we are again confronted by the vestiges of more ancient civilizations. It was Humboldt that said, in his "Vues des Cordillères," that the American civilizations constitute not an historical question, not even a question for philosophy. He was right. This continent is the land of mysteries; we here enter an infinity whose limits we cannot estimate.

I have collected from these layers of cement pieces of pottery, some coarse and common, others of very fine quality, and I intend to make as large a collection of these objects as possible.

We have done a very good day's work. In the morning I found a number of interesting objects,—a hatchet of transparent quartz, a *metate* for sharpening tools, several small vases, two more funereal urns (one of them resembling that which held the remains of an infant), a number of *malacates* (an instrument for spinning thread), a quantity of necklace beads, and a large alabaster stone shaped like a boundary stone. Above all, I discovered, as I suppose, *my house.*

On Monday I shall have twenty-five laborers, and the work will then proceed rapidly. I will from day to day employ more men, as circumstances may require.

October 3*d.*—I spent the whole day in making excursions among the ruins and in the vicinage. My guide led me into the vast underground chambers near the village of San Juan de Teotihuacan. These are the quarries whence the former inhabitants of Teotihuacan derived their building materials; afterward they buried their dead in these catacombs. One of the catacombs consists of a large circular chamber, from which three galleries or tunnels branch out in different directions. The first explorers found a great quantity of human bones; also bones of ruminants of the same species as those found at Tula. We visited another of these catacombs, and penetrated some three hundred feet into one of the galleries.

From the catacombs we hurried to the inspection of some of the *tlalteles* (mounds), of which, according to Torquemada, the city contained twenty thousand. Having reached the Pyramid of the Moon, I for the second time went down into the small cave situate to the right of that pyramid, and behind the big idol, of which I have already spoken. I found the whole vault to be made of *adobes*. We saw no adobes at Tula. We ascended the Pyramid of the Moon, and there enjoyed a fine view of the surrounding country. In an ant-hill on the summit I found sundry fragments of obsidian knives, one piece of an ear-ring pendant, and one such pendant entire. How came they there?

October 4th.—Instead of twenty-five men, thirty offered themselves to-day. I kept them all, and will add ten more to-morrow, for the work I have undertaken is immense. I have hit upon a habitation, or rather a palace, closely resembling the Toltec palace at Tula. Like the latter, it has an inner court, a grand reception hall, chambers at different elevations, etc.

October 5th.—The work goes on rapidly. In every chamber that we empty of rubbish, I find either ashes or a quantity of charcoal, and in one of them we came upon what would seem to be the remains of a rafter four inches thick and nearly forty inches in length, carbonized throughout. This seems to prove that the building was destroyed by fire.

October 6th and 7th.—We found two great chambers with sloping walls from three to six feet in thickness. These walls are of clay and stones, overlaid with a coat of cement, the surface of which is highly polished and painted red. In one of these great chambers, which is twenty-seven feet wide by forty-one feet long, are two pillars at equal distances from the walls, which served to support the roof. In a smaller apartment near the south entrance of the edifice, we found a cross-shaped stone slab (tombstone) lying level with the floor. I had it dug up. The upper surface is smooth, but the lower is covered with sculpture. The stone is fifty-three inches high by forty inches wide and five inches thick. It has in the middle, as principal ornament, four tongues, or four large drops of water, while another ornament, shaped like a pointed tongue, rises from the base toward the other tongues.

Inasmuch as the Toltecs were very devout worshipers of the god Tlaloc, we might conjecture that this tombstone was carved in his honor to render him propitious to the deceased. Or we might suppose that these water-drops represented tears, and this

all the more because they seem to be falling from eyes cut in the stone.

There must be something here, we thought, so we began to dig, and found in the soft clay at the depth of twenty inches one of those cement-coated walls which served to strengthen the pyramids. Continuing the excavation, we came to a layer of adobes, and there collected some human remains, also bones of animals—squirrels and birds. At the depth of ten feet was another wall, and there beneath a layer of cement we found sundry trinkets of fine stone, a piece of a mortuary urn containing ashes and charcoal, also several pieces of very fine cloth, calcined, but showing the original texture. The pickax next penetrated a cavity. "A grave!" cried the man; but as it was now night-fall we were compelled to suspend work till the morrow.

On the morrow, October 8th, our anticipations were only in part fulfilled. I found only pieces of vases and calcined bones. It was a grave indeed, but, in accordance with the Toltec custom in the interment of princes and nobles, the remains had been burned. After digging to the depth of fifteen feet, I was obliged to stop out of regard to the safety of the laborers, as also in view of the fruitlessness of the work.

Among the fragments of bones found in the catacombs and in this grave are jaw-bones, some of which are orthognathous others prognathous, a fact which goes to show the existence of two very distinct races—conquerors and conquered, victors and vanquished, masters and slaves. I need not say that in my opinion the orthognathous race was the civilizer. Here, as in Egypt, it is the conqueror that plans the works which are executed by the conquered. Nor are the monuments of Teotihuacan inferior in size to those of Egypt. To say nothing of the ocean of ruins all around, there is the monument known as "the Citadel," which measures two thousand feet on each side, and besides there are fifteen great pyramids and earth-platforms, two hundred and sixty-two feet square and forty-nine feet in height.

October 9th.—To-day we finished the work of clearing out a vast hall in the Toltec palace. This hall is nearly fifty feet square. As in most of the other apartments, the walls are here sloping up to a height of thirty-seven inches, and thence to the top perpendicular. In the middle are six pillars, also sloping from

the base upward, on which stood columns of wood, or of brick or stone mixed with mud and coated with cement; these supported the roof. I forgot to state that in several of the apartments are found a number of thin slabs of stone covered with plaster over one-half of their surface. I suppose that the portion of these slabs which was not coated was inserted horizontally into the walls, and that the shelf thus formed served to hold a lamp—the *ocote* or bundle of pieces of wood. Such shelves are to this day used by the Indians for this purpose.

We are proceeding with our excavations, but the apartments brought to light from day to day appear to belong to some public building rather than to any private habitation. It is a regular palace, whose living-rooms must have been in the rear. These we shall not be able to explore, for the fields which conceal them are covered with crops. Besides, we should learn nothing new from such an exploration, and hence we will content ourselves with exhuming the entire front of the edifice. Much to my regret, we find here none of those bones of ruminants which we found at Tula, and thus I am compelled to question the identity of the specimens sent from Tula. I await with great impatience the decision of Yale College and the Smithsonian Institution upon this question.

October 10*th.*—I wish here to give a summary of Toltec tradition, as compiled by Veytia, the most trustworthy of the historians of that people. I will say little about the origin of the Toltecs or their starting-point, for, like all ecclesiastical historians, Veytia would make every race, every nation under the sun, trace their origin direct to Adam and Eve. According to Veytia, the Toltecs came from Babel. Upon the confusion of tongues, they went forth, consisting then of seven families. After traversing Asia, and crossing Behring Strait, they settled in the northern part of the American continent. The seven families, or tribes, spoke the Nahuatl language—the same which was spoken later by all the civilized nations of Anahuac. Further, they brought with them hieroglyphic writing: like the Peruvians, they had the *quipas*, called by them *knots*.

They were theists, and at first called on one god only, Tloque Nahuaque, later shortened into Tlaloc. Passing by certain legends which are of little importance for the matter in hand, we come to the generic appellation of this people. They called themselves Chichimecs, after the name of their chief, Chichi-

mecatl, otherwise Chichen. This name, Chichen, opens to us a grand perspective, for later we shall visit Chichen-Itza, a combination of the name of the first Toltec chief with that of the conquered race, and applied to one of the most renowned cities of the Yucatecan peninsula. In another place Veytia says that the nation took the name, not of their chief, but of a city founded by him, called Chichen. Here we have the same tradition, which again leads us to Chichen-Itza. Chichimecatl, Chichimec, adds our author, are far more probably the names of descendants of *Chichen*, one of the early chiefs; and here Veytia quotes a very old MS., according to which the first inhabitants of Mexico were the Toltecs, and the Olmecs and the Xicalancas came later. He shows that all these tribes were of the same race, and that each took the name of the chief who conducted them to their Mexican home. The chief of the Toltecs was Toltecatl; of the Olmecs, Ulmecatl; of the Xicalancas, Xicalancatl; the Zapotecs would be a fourth branch.

The Olmecs, who are by our historian placed before the Toltecs, possessed, according to him, the same gifts as the latter: they were architects, devoted to the arts, etc. Further, they, too, spoke the mother-tongue, the Nahuatl. Afterward, he adds, the Olmecs, the Xicalancas, and the Zapotecs united with or made submission to the Toltecs—were, in fact, incorporated with that nation. Further, he proves that Hueman, Quetzalcoatl, and the Yucatecan Cuculcan are one personage.

The name of Hueman means "big hands"; he is the most famous of the Toltec sages. The epithet is of importance for us, inasmuch as it explains the imprints of hands on sundry edifices in North America, and those mysterious stamps of a red hand found everywhere by Stephens in the palaces of Yucatan, and which I myself saw at Uxmal. They are a memorial, a tradition of the Toltecs.

It was under the reign of Mitl, in 927, that the race and empire of the Toltecs reached the climax of their fortunes. The population had increased to such a degree that the nation occupied a territory more than one thousand leagues in circumference, and that other great cities rivaled Tula, and surpassed it in size and splendor. Among these must be reckoned Teotihuacan, founded in honor of the god Tlaloc.

Under the famous reign of Mitl, Teotihuacan eclipsed Tula. Its ruins show that its population was certainly not less than five

hundred thousand souls. The calamities which wrought the downfall of the Toltec empire began under the reign of Topiltzin, in 1097. After four years of inundations, drought, famine, and pestilence, came a war of extermination, which lasted three years, and was terminated by the death of the king and his mother, the beautiful and courageous Xochitl, at Tlalmaxalco, a village ten leagues distant from the city of Mexico, in 1116.

The Toltecs were fair, robust, and bearded. To the Toltecs succeeded the Chichimecs, whose king, Xolotl, found Tula ruined and abandoned in the year 1117. Nopaltzin, Xolotl's son, passed by Teotihuacan, and found it in ruins and depopulated.

What became of the Toltecs? Several families, as we have said before, remained upon the high plateaus, while the remnant of the nation directed its steps toward the south. In 1124, Toltecs were settled in Tehuantepec, Guatemala, Goazacoalco, and Tabasco. We shall later recognize their works in Yucatan.

These points possess a real, historical value; for, apart from the absurdities inherent in all very ancient traditions, Veytia, who had before him the Baturini collection, the richest collection of manuscripts ever made, traces from the earliest times the history of the Chichimec nation (as he calls it) and of the Toltecs, who for him are only a branch of the Chichimecs. He bitterly bemoans the loss of the most precious of all these documents, the Teoamoxtli, *book of God*, or of divine and sacred things—a work composed by Hueman, a sort of Toltec bible, containing the laws, the religious precepts, the traditions, and all facts relating to Toltec history, from the remotest period.

Sundry authors have treated with ridicule the historical documents of Mexico, looking on them as apocryphal and without real value, and it affords me pleasure to quote a talented writer, Señor Jose Ramirez, who undertakes the defense of his ancestors, and who, with great learning and eloquence, proves that these traditions are at least worth as much, if not more, than those of ancient Greece, Rome, or Egypt.

"I do not propose," he writes, "to champion the infallibility of our historians and of our traditions. Nevertheless, it must be admitted that, if we place no confidence in our own, we ought to doubt all others, since neither Diodorus, nor Josephus, nor Livy, nor Tacitus, nor any other ancient historian, can offer in support of his story such testimony or such documents as exist to confirm ours.

THE IDOL TENANCI.

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"I purposely omit the name of Herodotus, the fullest and the most instructive of the ancient historians, because, though Plutarch impugned both his good faith and his correctness, modern criticism and modern science tend to confirm, more and more, his narrative.

"Historical criticism, in spite of all that has been done to develop it, is, perhaps, the most difficult, as also the most backward, department of literature. We still find ourselves in peril of falling into an unreasoning credulity or into a skepticism that utterly negatives all science. A history may be absolutely true, and in a high degree instructive, though it contains statements the most absurd, provided it records faithfully the traditions, the beliefs, and the customs of the people about which it is concerned; on the other hand, it may be absolutely false, though it report events the most natural and the most probable, if the same are the inventions of the author, and rest on no historic basis.

"Mexican history, like the history of all other nations, has two objects in view, viz.: to describe the manners, customs, and beliefs that characterize the nation; secondly, to acquaint us with the public and private life of its great men, and to enable us to penetrate into the inner life of the people. As for the first point, I repeat what I said before, that none of the ancient writers, neither Aulus Gellius, nor Macrobius, nor Petronius, can adduce in confirmation of his narrative facts so authentic or so trustworthy as those handed down by our chroniclers, especially by Sahagun.

"As for biography and the record of events, I hold that the Roman and Grecian historians are of no greater authority than our own Ixtlilxochitl, Tezozomoc, Veytia, and others, who drank at fountains no less pure than those which refreshed Herodotus or Dionysius of Halicarnassus; nor do I believe the achievements of Alexander, as recorded by Quintus Curtius and Arrianus, to be more worthy of faith than are those of Netzahualcoyotl, or any other one of our kings, as recorded by their countrymen or their descendants."

In Mexico, the traditions were handed down, not only in hieroglyphic writings, but also in chants, which formed part of the obligatory instruction.

October 11th.—It passes belief what a number of structures, sub-structures, etc., we find in digging under the left esplanade of the palace. Here are sloping walls at right angles with others

that rise by steps, and all coated with cement. Under these walls are others. What is their object? Did they sustain the pyramid? Are these compartments graves? I found a pearl, four pieces of human bones, and a pretty vase broken in two.

But I shall soon have to quit work in this palace. The long avenue on which it stands is lined with ruins of public buildings and palaces, forming continuous lines as in the streets of modern cities. The private apartments are in the rear; in front are reception halls, as I infer from their dimensions. Still, all these edifices and palaces were nothing compared with the vast substructures which strengthened their foundations.

October 12th.—We shall probably complete our excavations to-morrow. On reaching the last apartments of the left wing of the palace, we found another tombstone like the first, but broken in two. I will draw the ground-plan of the palace, as exposed by our excavations. From this it will be seen that Teotihuacan is a copy of Tula, on a larger and grander scale.

Mexico, October 16th.—My investigations at Teotihuacan are completed, but I return to the Toltecs, whom, the more I learn of them, the more I admire. Not only were they sculptors, architects, metallurgists, philosophers; further, they were born poets. Their language was polished and full of metaphor. A mild and simple religion was theirs; to the Supreme Being they offered only such victims as birds and flowers. If at any time, out of anger or panic, they offered human sacrifice, the victim was always some culprit who in any case was worthy of death. But they were not cannibals, even in their religious feasts.

Their pacific instincts survived in the kings of Texcoco, who were descended from their earliest kings; they are personified in the great Netzahualcoyotl, at once engineer and poet, who saved the city of Mexico by constructing a dike, and whose songs are sung to this day.

The Aztecs, who, in my opinion, were of quite different race, first caused this fair Toltec civilization to tend toward barbarism. They began human sacrifices in Anahuac, and they first practiced cannibalism there. The first recorded act of cannibalism on the part of the Aztecs dates from the time when they were still slaves of the Colhuas. Having accompanied their masters in a campaign against the people of Xochimilco, they set aside four prisoners whom they sacrificed to their god, Huitzilopochtli, plucking out the hearts of the victims and eating the remains.

The act so shocked the Colhuas that they compelled the Aztecs to go out from among them and to seek refuge where they might. It was in 1325 that they settled on an island in the lagoon; there, thirteen years later, they celebrated in honor of this god the sacrifice of which I have next to speak.

They sent an embassy to the king at Colhuacan, entreating him to grant them one of his daughters, whom they desired to constitute the mother of their deity. The king complied. But on the arrival of his daughter, the god commanded the Aztecs to sacrifice the maiden, to flay her so soon as she was dead, and to clothe one of their warriors in her spoils.

This bloody religion, this sacred cannibalism, spread among all the neighboring peoples. It led to the concluding of a treaty, the most curious of which history has any mention.

In 1454, the people had been suffering seven years from a terrible famine. The priests were consulted as to what was to be done, and their response was that "the gods were angered; to appease them many men must be sacrificed, and *regularly*." It was proposed to offer as victims captives taken in war, but the priests objected. "Wars are uncertain," they said, "and far apart; captives are few, and when they come they are lean. Sacrifices should be frequent, and the victims in good condition."

That settled the matter, and in consequence a treaty was concluded between the three heads of the Mexican empire, viz.: Mexico, Tezcoco, and Tlacopan on the one side, and Tlascala, Hucxotzinco, and Cholula on the other, to the effect that the two confederations should *periodically make war* on each other for the procurement of victims.

DÉSIRÉ CHARNAY.

PARTISAN GOVERNMENT.

No occasion is more favorable to reflection than the morrow of a great crisis. While the crisis is impending, all thoughts are given to the practical question, how to meet it. The time for philosophizing is not then; it is a time for making the best use of whatever wisdom, whatever insight, whatever moral firmness past experience has wrought into our characters; but, the crisis over, we can think whether we were as well prepared to meet it as we might have been, and we can re-examine with much profit the ideas and impressions by which our action was shaped. An important matter of consideration and study for every intelligent citizen of a free country is the relation which it behooves him to sustain toward the political parties which, under one name or another, he is sure to find established in the state. How far is the existence of parties justified by circumstances? What are their methods, and how far do they really seek to promote the national welfare? Is one more national and less selfish in its aims than the other, or than any other? Is there danger in strict party allegiance? On the other hand, is an independent attitude likely to lead to loss of influence? The answers to be given to these questions will differ somewhat according to the country in which they are asked; but it has occurred to us that there are certain general considerations on the subject of political parties which are likely to be more or less helpful anywhere, and which are not unsuited to the pages of this review.

Of late years the party system has not been the subject of much eulogy; more evil by far than good has been said of it, though it has not in general lacked for defenders when attacked. Sir Erskine May, author of "The Constitutional History of England," endeavors to hold the balance even in awarding to party the praise and blame that are its due. "In the history of party," he says, "there is much to deplore and condemn, but more to approve and commend. . . . We see the foremost of our

fellow-countrymen contending with the bitterness of foreign enemies, reviling each other with cruel words, misjudging the conduct of eminent statesmen, and pursuing them with vindictive animosity. We see the whole nation stirred with sentiments of anger and hostility. We find factious violence overcoming patriotism, and ambition and self-interest prevailing over the highest obligations to the state. . . . But, on the other side, we find that government without party is absolutism. We acknowledge with gratitude that we owe to party most of our rights and liberties. . . . We glory in the eloquence and noble sentiments which the rivalry of contending statesmen has inspired. We admire the courage with which power has been resisted, and the manly resolution and persistence by which popular rights have been established. . . . By argument and discussion truth is discovered, public opinion is expressed, and a free people are trained to self-government. We feel that party is essential to representative institutions." It is a little hard to harmonize some of the statements of the eloquent author. "We glory," he says, "in the eloquence and noble sentiments which the rivalry of contending statesmen has inspired." But he had spoken of these eminent statesmen as "contending with the bitterness of foreign enemies, reviling each other with cruel words, misjudging and pursuing one another with vindictive animosity." He tells us that "by argument and discussion truth is discovered"; but the kind of argument and discussion he had previously described is far more likely to blind men to the truth than to open their eyes to it. Lastly, he speaks of the noble way in which oppositions have vindicated popular rights; but this is not, strictly speaking, an illustration of the working of party. When people are hurt they will cry out; it needs no party organization to bind together men who have a common grievance. Oppositions have shown the spirit and normal working of party far more in the obstacles they have thrown in the way of government than in the pleading of popular causes.

Sir Erskine May traces the origin of party, in its modern and legitimate form, to "the bold spirit of the Puritans," who, in the reign of Elizabeth, "spoke out in the House of Commons in support of the rights of Parliament and against her prerogative in matters of church and state." A very respectable origin this, but, upon the whole, a fanciful one. One scarcely recognizes even the germs of party in any such protest for conscience' sake. Sir Erskine

himself tells us that throughout all changes of governmental arrangements "patronage has been the mainspring of the organization of parties. It has ever been used," he proceeds, "to promote the interests and consolidate the strength of that party in which its distribution happens to be vested." This is intelligible, and it harmonizes with much that falls under our observation from day to day. It seems, however, to have but little relation to "the bold spirit of the Puritans" under Elizabeth.

It is, as we think, an error to discuss the party system as if it were a special contrivance of modern government,—something which might either be or not be, according to circumstances, and susceptible, if retained, of indefinite modification. If this view of the matter were correct, it would be impossible to explain the universal prevalence of the system wherever representative institutions have been introduced. "We feel that party is essential to representative institutions," says the able authority we have quoted, and herein he is undoubtedly right. Representative institutions mean simply this: that the people are summoned to govern themselves. The question then at once arises: How are the people to do this? They can only do it through some individuals chosen for the purpose. Who are these to be? Manifestly the men who can best give expression and effect to the will of the people. What is the will of the people? What is the dominant sentiment of the hour? Upon this point the most opposite opinions may prevail among sagacious men. Every one inclines to think that his own opinion must be widely prevalent; and some are bold enough to believe that if their opinion is not prevalent, they can make it so. There are, therefore, of necessity, rival candidates for the honor and advantage of giving expression to the national will. One is carried to power, the rest are swept into opposition: parties are established.

Scarcely any other general course of events than this is conceivable. But once place a party in power, and it has the strongest reasons for wishing to remain there. It will at times sacrifice the very principle that caused its triumph, rather than part with the honors and emoluments of office. Even when it is not prepared to go as far as this, it will seek to consolidate its strength by the means already hinted at, and by other means still less edifying. It is not necessary, perhaps, to dwell on this aspect of the subject, as even wayfaring men, though fools, are not very apt to err therein. It is of more importance, probably,

to emphasize the view that some form of political organization for the ascertainment of public opinion is a matter of necessity; and that, as political parties fulfill this function in a certain measure, they must be allowed to have their utility. It is of importance to do this, because, unless we make allowance for the services that parties, with all their drawbacks and defects, render to the state, we shall rail at them "not wisely, but too well." And here we might add, with a slight touch of pathos, "*crede experto*"; for even so did we rail in the days when Manlius was consul, and all controversies seemed simpler to a somewhat more youthful enthusiasm.*

The point to which we are now drawing attention has nowhere been better brought out than in one or two of the admirable essays on government, embodied in Mr. Frederick Harrison's work entitled "Order and Progress." The pure democratic theory is that a nation with free institutions governs itself; and when, in a general election, we witness the vast and striking phenomenon of an entire people casting their votes for the men who are to represent them, we are apt to overlook the means by which matters were brought just to that point,—means in the absence of which a general election, or any election, would be an impossibility. The voting of the multitude Mr. Harrison calls "the coöperation of the governed" in the decision of the special issues placed before them. "We are accustomed," he says, "to turn our attention so exclusively on this coöperation, that we unconsciously grow into the notion that numbers could coöperate by direct identical action. We might as rationally suppose that an army of one hundred thousand soldiers would simultaneously raise the right foot and march in a body upon a given point, or go through a collective campaign, by independent free purpose of each individual soldier, without any officers or any word of command. Practically it is impossible that societies should act in the pure democratic or universal equality way. The real government or personal organ is disguised, or ignored, or almost smothered under forms, which seem to make the civic coöperation an automatic act of each citizen; but, so far as any real government exists, or any real action results, there is somewhere a person, a mind, and a will which originates it." †

* Vide "Canadian Monthly and National Review," November, 1872.

† "Order and Progress," page 50.

In another place the same author remarks: "Acting individually, neither a million of men nor fifty millions of men could make a law of the simplest kind, if they toiled for a century. Nor even could a thousand or even a hundred men together make a law. It would always be, *quot homines, tot leges*, if they tried forever, so long as the real individual thought of each citizen acted in honest independence of purpose."* Again: "Our public life has become so completely one of polls, assemblies, committees, and boards, so habitually do we fix our attention on the combination of many opinions and many wills which they present, that we are apt to forget how completely all these conform to the same law, how much they screen from us the same inner truth, that all combined action of many implies a personal organ as its agent. Parliaments in the aggregate do not really make laws any more than nations as an aggregate do; committees delegate their action virtually to individual members; boards apportion within them the actual work; so that, in the ultimate reality, what is done in the collective name of the body is the work of one, or, at least, each substantive part is the work of one; *what is left undone is that at which many work without effacing their differences.*"† In the case of a *plebiscite* everything depends upon who frames the question, and how it is framed. The government of the day, guided by some one ruling spirit, propounds, in its own interest, the particular question to which the people are to say yes or no. In an election there can be no voting until the candidates are reduced to one or two groups; and, as Mr. Harrison remarks, "it is difficult to conceive how few may be the persons who really do often force a candidate on a constituency; very often it is a single person, not even himself a voter." But not only in politics do we witness the ascendancy of certain individual wills. "In any way," to quote this author again, "in which forces can be tested, we find this result, and we expect to find it; the collective action of any community, be it club, association, constituency, city, nation, will be determined by those members who, relatively to the rest, are not the cleverest or the best, but the strongest and the most tenacious of their own aims, and most apt to lead others to their aims."‡ The reason why voting, as commonly practiced, furnishes the basis for a fair estimate of political forces, is because

* Ibid., page 45. † Ibid., page 48. ‡ Ibid., page 72.

the voting has been preceded by the usual contest and agitation, in which the leading actors on either side have put forth their powers of attraction and persuasion, have developed their capacity for leadership, and effected a division of the community corresponding to the strength of the sentiments they have severally succeeded in evoking.

That political parties are in some sense a necessity, may indeed be deduced from a law with which Mr. Spencer has rendered us familiar, "the instability of the homogeneous." It is one of the commonplaces of practical politics that what a party gains in mass, beyond a certain point, it loses in cohesion. On the one hand, danger from the enemy being less, discipline is less rigidly enforced, one vote more or less counting for comparatively little; on the other hand, the rewards which the party has to bestow on its followers being (on account of their numbers) relatively fewer, the expectation of favors to come is less lively, and party attachments consequently feebler. If, then, we suppose one party to have completely absorbed its opponents, we should have at once a *régime* of pure individualism, which Mr. Harrison has so well shown to be incompatible with any kind of political action or movement.

It is a use of parties, so to speak, to focalize opinions, and thus to establish centers of gravity for the political system. To say that they do this at the cost of considerable refraction of the scattered rays they receive, is to say that they do it in the only conceivable way. There is, therefore, no use, at present, in quarreling with parties, as if it were in our power to stamp them out of existence. What we may do is to criticise them, to contrast their professions with their practices, to point out the debasing nature of the tyranny they seek to exercise over the nation, and to show how this tyranny may be resisted. It does not follow that, because the initiative in political matters must be taken by somebody, it therefore should be taken by the precise men who now take it. It does not follow that, because opinion must be organized, because aims must be concentrated, before there can be determinate political action, the work should be done precisely as we see it done now. The power which Mr. Harrison declares to reside in the mass of the people is *the power of veto;* they cannot arrange the plan of a campaign; but, if the plan has been very badly arranged by those who have taken it in hand, the people can, in a decisive manner, show their disappro-

bation. They can veto the policy, they can discard the candidate proposed to them by their party leaders. They can, in the same way, show their disapprobation of the methods by which party ends have been pursued.

If space allowed it, many signal instances could be cited of the exercise by a nation of its reserved powers in a very unexpected manner. Two of the most striking are furnished by recent English politics. In the year 1874, Mr. Gladstone made a sudden appeal to the people, and, in an address to the electors of Greenwich, struck the lowest note he had ever struck in his whole political career—that is to say, claimed the support of the nation on the ground, chiefly, that he had reduced taxation, and would, if returned to power, probably reduce it still more. The people answered, in the most emphatic way, that there were things they cared more for than a low rate of taxation, and that Mr. Gladstone was not the man they wanted just then at the head of affairs. Mr. Disraeli was borne into power by an immense majority, and ran for six years a career which was generally thought a very distinguished one. At the height of his prestige, and while the stamp of the mint was yet fresh on his brilliant coinages, "Peace with Honor," "A Scientific Frontier," "*Imperium et Libertas*," he also appealed to the people, and got a reply that he little expected in an almost contemptuous rejection by the nation he was supposed to have dazzled out of all its wits.

The capital charge which must be brought against party is that being professedly merely a means to an end, that end being the national welfare, it becomes an end to itself, and leads the nation a ridiculous dance to the ridiculous airs of the party managers. "The moment," says Mr. Harrison, "any machinery is required to appeal to voters,—and in every complex and large society some machinery is required,—skill in using the machinery acquires so important a place as very often to outweigh every other fact; and the result is determined, not by the influence of eminent character, not by the real wishes of the voters, but by the technical mastery of those who work the canvassing apparatus. The more complex the body, and the more elaborate the voting apparatus, the more important becomes skill in managing the apparatus. Where the electing body, as in an English or American city, is both huge and unorganized, it can only be reached by expedients which develop special ingenuity, and usually demand immense resources." Here again we find our-

selves face to face with a fact which we may not like, but which there is no getting rid of. The "machine" in politics is a phenomenon of evil omen, suggestive of all that is dark and sinister and tricky; but it makes things go, and something is required for the purpose. We should not, however, regard it as a phenomenon peculiar to the field of politics. Wherever there is organization there is a "machine"—that is to say, a headquarters of influence and command, an inner circle of men to whom the organization as it exists is a matter of prime importance, and who have the technical knowledge necessary to enable them to work it in their own interest. Every profession is more or less controlled by a machine. Literature itself is not free from a *soupçon* of the same influence. There are machines educational and machines ecclesiastical; and the further we look, the less occasion we shall find to wonder that the machine has taken possession, almost bodily, of our politics. But because machines have to be, and because they have interests that are not those of the public, it does not follow that the public must helplessly accept their dictation. There is a portion of the community which stands outside the sphere of their influence, and the community at large does not absolutely shut its ears to the voice of reason. The practical problem, therefore, which should engage our efforts is not how to banish the machine from politics, but how to force it to do decent work, how to teach it a certain measure of respect for the public intelligence.

The latter is the great point. When the party leaders on both sides have a really intelligent public to deal with—a public that resents as an insult such travesties of political discussion as fill the partisan press, a public that abhors the policy of slander, a public that loves the truth and rates the "campaign liar" just as it does any other liar, a public that repudiates the pestilent maxim that in politics, as in war, everything is fair that tends to success—when, we say, the party leaders have such a public as this to deal with, they will modify their tactics to suit the times. They will look to their nominations, lest they be too suggestive of a mere chase after spoils; they will look to their platforms, lest perchance some of the planks be too rotten to bear an honest man's weight; they will look to their methods, lest, having done other things well, they turn public sentiment against them at the last moment. "But will this ever be?" some may ask; "are there any signs that such a condition of things is at

all possible in any future with which we need concern ourselves?" We answer that he is the best citizen who is willing to work for the remotest future—who casts into the ground the seed of an honest word and a good example, without troubling himself too much as to whether *he* will ever see any fruit from it. We answer further, however, that there *are* signs that such a change as we have described is now in process of accomplishment, and that the agencies which favor it are daily gathering strength.

In an article already referred to as written some years ago, we expressed ourselves as follows, on the subject of party journalism: "It is not the bitterness of political discussion that seems to us the worst result of the party system; it is its amazing hollowness. A reasonable man is simply lost in amazement as he reads, day after day, in ably edited journals, whole columns of writing in which there is hardly the faintest gleam of sincere conviction to be discerned. Day after day the same miserable evasions, the same varnishing over of unsightly facts, the same reiterations of unproved charges against opponents, the same taking for granted of things requiring proof, the same proving of things that nobody questions, the same hypocritical appeals to the good sense of electors whom every effort is being used to misinform and confuse, the same dreary, unmeaning platitudes,—in a word, the same utter abuse of the reasoning faculty and of the functions and privileges of a free press. Of course, so long as both sides indulge in this kind of thing, each can make out at least a partial case against the other; and so a constant cross-fire is kept up in the exposure of misrepresentations and the rectification of all that has been set down in malice or unduly extenuated on one side or the other. To-day, a good point is made by the opposition; to-morrow, it will be returned to them, if possible, with interest. Such is the party system of political warfare—a system which ought to have won the admiration of Archdeacon Paley, since it possesses the crowning attribute which was lacking to that celebrated watch of his, the power, namely, of perpetually reproducing itself."

Now, in so far as this language is applicable to the political controversies of to-day,—and few will deny it a certain applicability,—it becomes the duty of all who have it in their power to influence public opinion independently of party, to call attention in season and out of season to the utter insincerity of the whole performance. If people answer that they do not look for sin-

cerity in political journals, and that for their own part all they want is to hear all possible good of their own side and all possible evil of the other, nothing more can be said; they must die, if they are determined to do so, in their sins. Some, it must be allowed, though they are not likely to make such an avowal, might do so with truth; for there are misguided individuals in the community who outdo in party bigotry the most violent of their leaders, just as there are lay devotees who far outdo their priests in superstition. On the other hand, there are many who have a tincture of fair-mindedness, and some respect for their own understandings, and who would be inclined to resent any deliberate attempts to befog and befool them. To these an appeal on behalf of rational and decent methods in political discussion may hopefully be made; not in the expectation, as we have before said, of doing away with parties and caucuses, with managers and wire-pullers, but of leading these to recognize some limit to their powers.

That party controversy is in general the merest parody of anything like legitimate and serious political argument is easily shown to any one who is not himself a hopeless thrall to party; and not less demonstrable is it that the systematic depreciation and abuse of public men tends to poison the whole political atmosphere and to educate the rising generation in a sickly cynicism by robbing them of all opportunity of recognizing and admiring public virtue in their own land and time. Let genuine, unmistakable corruption be exposed and lashed; and, if possible, let the operation be performed by some one who hates corruption in a friend even more than in a foe; but let not errors of judgment receive the denunciation due only to deliberate misdoing. Where public services have been rendered, let them be cheerfully and unstintedly acknowledged; and where a man has won a general character for uprightness, let his character be reckoned the property of the nation, and not a foot-ball for faction. Is not our country's richest inheritance to-day the *character* of the men who laid the foundations of her national greatness? And shall it be said that the United States have ceased in the beginning of the second century of their independence to lay up this particular form of wealth? It is sad to think to what a trade calumny has been reduced, and that instead of a growing faith in those who are called to the service of the republic, there should be an established conventional tone of mockery and dis-

trust. Yet who is there practically conversant with public affairs who does not know that, many as are the evils that fasten themselves on government, the general state of things is not as bad, or nearly as bad, as is conventionally represented, that public men in general are far more honest than they get the credit of being, and that we are really, to a large extent, walking in a vain show of political wickedness, produced wholly and solely by the persistent falsifications of unscrupulous party journals? A vain show in one sense, for wickedness in the measure alleged does not exist; but a most serious reality in another, for this constant talk about evil *begets evil by begetting despair of good.*

To dwell, however, on all the weak points of political parties would take a book rather than a magazine article. The only remedy—and that but a partial and gradual one—for the evils we descry is the education and development of the enlightened and independent element in public opinion. Fortunately the agencies required for this important work are not altogether lacking. Some of the most influential journals of the day are honorably independent in their political judgments. The higher journalism, indeed, is constantly tending to throw off the trammels of party, and to view national questions from a national stand-point. It would be well, it seems to us, if the independent journals would unite in exhorting the parties to throw aside the hypocrisy which makes them pretend to more principle and more *principles* than they really have. In the absence of all difference of political principles, it is conceivable that one party, or one following, might yet propose better candidates than another; and, if distinctive principles are lacking, it would be better that the fact should be acknowledged, and that the electoral contest should turn simply on the merits of the candidates. There would then be vastly less of misleading and illusory argument than there is at present. Under no possible circumstances can hypocrisy do any good. That it would be well, also, to remove in part the temptations to mere party greed by some permanent organization of the civil service, seems also obvious; but this is a practical question of great difficulty, upon which we cannot undertake to offer any further remarks. That parties are beginning to recognize the necessity of putting respectable candidates in the field, would seem to be indicated by the nominations for recent Presidential elections; and that even the stanchest adherents of a

party can be recalcitrant when the managers push management too far, has also been signally illustrated by late events. There is no reason, therefore, to despair of the political situation; there remain some things to the nation which it is quite worth while to try and strengthen. We shall make war best on the excesses of party strife by seeing that we understand thoroughly what parties are; by making due allowance for the conditions under which they work; by showing even a large degree of charitable tolerance for those who do the drudgery of actual organization, and who cannot always be expected to be patriots of a high order; and, finally, by exerting all the influence we possibly can in promoting fair, candid, and broadly national views of public questions. This involves, of course, making direct and vigorous war upon all the palpable moral abuses and nuisances of party strife, particularly the wholesale traducing of character, which has hitherto been its most conspicuous accompaniment. And, in doing all this, let us remember for our comfort this saying of Burke's: "Plain good intention, which is as easily discovered at the first view as fraud is surely detected at the last, is of no mean force in the government of mankind."

WM. D. LE SUEUR.

POPULAR ART-EDUCATION.

THE number of persons now engaged in various occupations requiring some knowledge of the principles of art, or of taste, is very large and rapidly increasing. Not only in the manifold forms of fine art, as in painting, sculpture, architectures, illustrative art, and the various processes of etching and engraving, but in what is classed as ornamental or decorative art as applied to handicraft and manufactures, a marked interest, amounting to eagerness, is everywhere manifest in art-instruction, and in art-production. Indeed, there is no field in which commercial competition is more active, at the present time, than in that of ornamental design. In England, France, and America, this activity is most marked, and is rapidly affecting all kinds of manufactures that are capable of being improved by tasteful design. While Art, therefore, in its finer forms, has its recognized place as contributive to the higher interests of civilization, in its lower forms and applications, that are quite within the scope of ordinary talents, it has, perhaps, a more appreciable value in the scheme of popular education, as the wealth and commercial industry of nations have, in several instances, been largely due to their art-products, or to the taste that influenced design in manufactures.

The subject of Art-education may be viewed in two distinct lights: it may be regarded æsthetically or practically. Æsthetically considered, that is with reference to Art as the exponent of the beautiful, as manifested in the creations of the artist, decidedly it has no place in the scheme of common-school education. The proper place for this is within the domain of Art-schools. But in its lower phases and practical applications, Art, in a rudimentary form, both with reference to principles and practice, as in drawing, should certainly enter into the curriculum of prescribed studies, and for the following reasons: Many concep-

tions or inventions must first be bodied forth in form through this means. In all the countless inventions and manufactures that form a part, and the larger part, of commercial industry, design is of conspicuous importance, and at some stage of their creation the ideas lying at the root of these inventions and manufactures must have been determined in form on paper. Behind the pattern is the drawing, and behind the drawing is some elementary knowledge of the principles of Art. In all forms of manufactures, consider the nature and order of commercial competition. First, there is competition in meeting or creating a demand, and in controlling the production necessary for this end; then follows a competition in the mechanical excellence of manufactured goods; and, lastly, competition for excellence and beauty of design. What is it that has yielded France, in the past, such wealth in return for the products of her industry? It is, mainly, the taste and beauty of design displayed in all forms of French production—French tapestries, calicoes, carpets, wall-papers, porcelains, glass, bronzes—everything, in short, into the manufacture of which *design* may fill a conspicuous place, or in the production of which *taste* is a requisite.

At the first great International Exhibition in London, in 1851, the English became aware of this fact, and were then made conscious of the entire absence of taste in design in their own manufactures. The result was the establishment of Art-training schools throughout the Kingdom,—the chief of which is the "South Kensington," in London,—which have changed the character of English manufactures wherever beauty of design is a requisite of success. Such an entire revolution have these schools effected in ornamental design that, in some respects, the English now excel other nations in the beauty of certain kinds of manufacture. Where they were far behind they are now in advance, and this has been the occasion of new stimulus and new effort on the part of the French, that has led them to take similar steps for furnishing popular Art-instruction, which may enable them to regain and maintain their former supremacy. To mention a single instance, though not the most important, English wall-papers have now a more extensive market than the French, and a large proportion of our own productions of this kind, including all that have merit for design,—unless Mr. Colman and Mr. Tiffany have already brought out their proposed designs,—are the stolen copies of English patterns.

That some idea may be formed of the extent of this movement in England, in the direction of Art-education, the following statistics are offered: The schools of Art established in the United Kingdom, according to last year's report, numbered 147, with an attendance of above 29,000 pupils. The number of schools wherein drawing is taught was 4170, an increase of 403 on the previous year. The number of pupils receiving instruction in drawing and design was, in 1878, 727,874, an increase of more than a hundred thousand over the report of the previous year. At the examinations of 48 "training-colleges," in which teachers of elementary schools obtain certificates as teachers of drawing, 880 persons received these certificates. The last report of the "Art Department of the Committee of Council on Education" says: "In the four years from 1874 to '78, the number of institutions in which instruction is given in drawing, or in higher art, with the aid of the Department, and subject to its inspection, has increased from 3202 to 5238. The number of persons taught, and of exercises and works examined, has more than doubled during the same period, while the total amount of the aid given by the Department in the form of payments on the results of this instruction, as tested by examinations, has risen from £33,921 in 1874, to £51,082 in 1878, or upward of fifty per cent. of increase." These "payments on results of examinations," I may explain, are special fees, varying from a few shillings to a pound or two, paid, *per capita*, on account of pupils whose work has been approved in the examinations of the various training-schools. The sums appropriated last year, for establishing and maintaining schools and museums of art, amounted to more than a million of dollars, and the investment was thought to be a profitable one for the state.

These statistics furnish some indication of the importance this eminently practical people, the English, attach to the subject of Art-instruction. And I cite them, in detail, as more convincing to American minds than would be the higher claims of Art which rest upon more exclusive and subtile grounds. To claim for Art, in education, an elevating and refining influence, exercising the higher faculties of mind, would have, perhaps, for many, far less significance than proving it to be a source of commercial industry and wealth, which leads so-called "practical people" to value it accordingly. The English are not a sentimental people. These statistics cited are not the result of fanciful ideas, or vagaries,

nor of the ignorance that relegates drawing in the schools to the sphere of mere "accomplishment." They are, rather, the result of a hardheaded sense of the value and importance of drawing and design as a source of national benefit and wealth. One of their reports says: "The teaching of drawing is encouraged by the school boards, who appear to appreciate its great value as a training for the eye and hand in view of those manual operations which handicraftsmen have to perform." This, indeed, is rather too "practical" a view to take of it, but it is the one that the average school board will perhaps be most likely to appreciate. It requires at least some elemental knowledge of Art, of its aims and methods, to "see the thing as in itself it really is," to recognize that all its processes, no less than its aims and end, are intellectual, enlisting the higher faculties at every step. The effects of Art, as of all that is truly poetic, are emotional; but its processes for the accomplishment of this end are intellectual.

To return to the utilitarian estimate: consider the numbers of instances, the many occupations, in which ornamental design is a requisite, or where taste is exercised with marked effect,—objects of all kinds that surround one in the home, in vehicles of travel, in structures for domestic, civic, or religious purposes. The absence of taste in the manufacture of articles that otherwise exhibit excellence is often the occasion for condemning them altogether. Taste is the exercise of artistic judgment in the fitness of things with reference to design, and in determining what is ornamentally appropriate. A thing that is ornamented merely for the sake of ornament is in bad taste. Good taste is always economical. It is exercised in determining just how little ornament will suffice to exhibit the form to the best advantage; and, then again, how this little shall be of the finest or most beautiful design. Beauty of design as well as perfection of workmanship is what chiefly builds up a great business like that of Tiffany and Company, who, as jewelers and silversmiths, are said to excel all others, having, by means of the artistic quality of their work, secured the market of the world for their manufactures. Some of our manufacturers of silks and tapestries have competed successfully with even the better class of foreign productions; but in all these cases you will observe that they import their designers, trained for the most part in the schools of France or England, and they pay these designers larger salaries than

our presidents of colleges receive. There are designers for upholsterers in the metropolis who receive salaries greater than those of the members of the cabinet at Washington, and these large salaries are paid simply because it is discovered that the main success of the business depends upon the taste displayed in designing their work.

But this is sufficient to suggest of design that it has "commercial value." Let us now consider, briefly, the value of drawing in the nature of equipment for the ordinary demands of life. In professional or business experience there are thousands of objects that may be recorded in the note-book by a slight sketch, that would require much time to describe in words, and then but vaguely or imperfectly. Drawing may be regarded as of almost equal value, in many kinds of business, with writing. In the absence or ignorance of this faculty to record on paper the image of that which the eye sees, no proper estimate can be formed of its usefulness. Imagine one whose mind is occupied with some invention, but lacking the power to place this upon paper he is under the necessity of seeking some other one who has this power, and to him he must laboriously explain his ideas, that they may be sketched for him. He is in the predicament of one who, desiring to speak, is without a tongue. He probably might exclaim: "What would I not give had I been taught to draw!" It is the addition of another sense; and how abstract, vague, and visionary are word-descriptions of things compared with placing before the eye their forms and features upon paper, in a sketch. To describe a person or a thing—the character indicated in the features of a countenance, or the details that enter into the structure of a house—would lack the sensible vividness that is presented in a sketch. The mechanic, the artificer, the inventor, or the manufacturer who has no knowledge of drawing is at a disadvantage. He must employ a go-between. He must disclose his ideas laboriously, and lose something in the process. To the carpenter who awaits your direction concerning some simple piece of work, you must relinquish your ideas respecting its detail, you must sacrifice your taste to his crude notions; and this, because he required a defined pattern to work from, and which you were unable to give. And so it is in many instances of much greater importance. I have known more than one scientist engaged in his pursuits lament that he had not the power to make drawings of the

objects of his investigations, but must employ some one else to do this for him.

But, taking another view of the merits of popular Art-instruction, let me inquire what is the aim of a common-school education,—what object has the state in view in furnishing free schools for the people? Certainly, the aim and end of this instruction should be distinct from that of the college or the professional schools. Its legitimate aim is a simple one—to furnish the young with the means of earning a livelihood. By this means it makes of them good citizens, with the requisite knowledge for serving the state. It does not design to fit them for professions. This task, with every other professional interest, properly belongs to the college. There is noticeable a marked confusion of ideas on this point. The end, therefore, of a common-school education is to furnish the youth with the tools education supplies for earning a livelihood. A knowledge of the principles and practice of drawing and design contributes to this end quite as directly as any other study in the curriculum, and as a discipline for the mind it has peculiar value, to which reference will hereafter be made.

It is not many years since that the only occupations open to women, or for which they had preparation, external of the home, were those of the drudge or the needle. By *drudgery* I mean employment that does not enlist the interest of the one who labors, and which is undertaken merely for the support of physical existence. Now, however, there are innumerable avenues of tasteful industry by which labor is made more sweet, and more healthful, because the faculties and tastes are exercised in their pursuit. By all forms of illustrative and decorative art, now open to women, they are enabled to achieve an independence—a means of resisting the stings of poverty—that is a very direct blessing to a large class.

If, however, we simply take the ground that instruction in the elements and rudiments of Art educates and disciplines the faculties and senses of the pupil, we are thus enabled to establish its claims to a more prominent place than that usually accorded it in the common-school curriculum. It educates the powers of observation that are at the root of success in all things. It tends to establish that harmony between the head and the hand which is always a subject of admiration in human skill, and which may be so cultivated that the hand becomes, as

it were, an extension of the brain. Art, in its lower forms, is the most practical of intellectual pursuits, because it is the most objective in all its processes. It deals with things as representative of thoughts,—which is the way of nature,—and not in abstract thought as the representative of things. In the processes of Art one employs geometrical ideas in the concrete, and with a vivid sense of their true significance. But ask any pupil of the schools to put in practice, through sensible form, his abstract knowledge of the rules and processes of geometry, and he will likely fail. There is a gulf that still remains unbridged, in our present system of education, between the abstract and the concrete, between the theoretical and the practical. Of what avails the knotty mathematical problems the first boy in the school is able to solve, if his after life affords no opportunity for the exercise of this talent. As a mere discipline, it is very natural, in view of the consecrating effects of custom or tradition, to overestimate the value of such tasks in the common-school system. It would be unwise, certainly, to undervalue them; but I argue from the ground of the requirements of a common-school education. A vast amount of merely abstract knowledge falls away from the mind from disuse, and the time given to its acquisition might have been more profitably employed. The boy on merging into the man, after having completed his round of mental discipline, finds, with some concern at first, that these fine achievements in mental gymnastics slip away quite rapidly from disuse, from finding, in the practical affairs of life, no opportunity for their exercise or application. They pass out of the mind just as surely and completely as the hand forgets its cunning when no longer exercised ingeniously; and when it does fall away, the residuum, in the form of discipline, amounts to little. The respectability of long-continued custom consecrates, in many instances, old forms of discipline that are practically useless. The competition in the school is quite a distinct thing from the competition life affords in its endless activities. The boy who stands at the head of his class is not infrequently the last in the race of life. "Brilliant graduates," says a recent writer, "seldom become influential and useful men, for the reason that they blindly insist upon substituting scholastic attainment for honest sense." Abstract methods of educating the faculties, while they exercise the memory and plume the wits, do not, somehow, further that mental grasp

which should lay hold, tenaciously, upon the practical affairs of life in common experience. They are apt to substitute an image, a shadow, for the substance. When we see the brilliant performance, the many appliances with which the student is now surrounded, the seemingly perfected systems covering extensive fields of learning, we wonder, oftentimes, at the poverty of their results. The youth enters upon his tasks with the idea that these things have arrived at perfection; that the means and appliances which surround him, the teachers who guide and instruct him, and the rewards that await his present triumphs, are all adequate and perfect in every particular. But later on, when these are left behind, and he regards them from the stand-point of the father placing his son at school, he becomes critical. He sees their imperfections, and he knows that he himself has been deceived in many respects in the estimate placed upon them. And yet so powerful is custom, or tradition, that he suppresses his convictions, and tries to deceive himself with the belief that it must be all right. The perfection of all this machinery of appliance avails far less in education than is usually believed. A single teacher, whose character and experience give weight to his or her instructions, and who understands the constitution of the mind of the human being under manipulation; and understands, likewise, that behind the mind are the propensities, the impulses, the tastes, the passions,—the mainsprings of action,—will often accomplish far higher and better results than the elaborate systems of the school and the college. I declare it to be a fact, that just as the prevalence of mechanical agencies in manufacture has destroyed all personal skill in handicraft—so that the artificer no longer exercises invention or ingenuity in his art, and consequently has himself become a mere machine, laboring without thought—I say, just as this has been a result of the prevalence of mechanical agencies in manufacture, so do these vast educational machines, when divested of personal sympathies and personal impulses, tend to a like result in developing the mind. The absence of personal stimulus and magnetism, and the severance of the subjects taught from their practical applications, may develop powers of mental abstraction; but in common life and common experience this is not always a desirable end. Knowledge of rules and principles avails but little,—is even valueless, in the absence of any faculty for applying these rules and principles to practical

affairs. Vast systems or institutions of erudite instruction may be admirable in their proper place, particularly for forming the minds of teachers or pedagogues; and yet notice, in the school or the college, how eagerly students seek the instruction of those who manifest strong practical sense even in recondite subjects, while they drone listlessly under the pedant or the theorist. But a common-school education has a different and distinct end in view. Is it "all right" when the youth must flounder about in the sea of life for a long season after his first plunge, in ignorance of the application of rules and principles to the practical conditions in which he is merged? And yet it is the common experience that he must do this until he has either forgotten much that he has learned, or until he learns a new system of induction—of evolving sounder principles from practice, which rightly puts the horse before the cart, and enables him to travel the highways of life with the credit due to common sense. These words are not directed against systems and institutions save where the machinery has subverted and supplanted personal needs, sympathies, and impulses in education, and where the teacher stands apart from the pupil as an impersonal agent. When we look back upon the condition of the common people in the Middle Ages, upon their prevalent skill in handicraft, upon their common interest in high thinking and attainment, as manifested in the products of their numerous guilds, we cannot say that we have advanced much in the direction of happiness secured by labor. Those old guilds were admirable educational institutions. See what the goldsmiths' guild alone produced in men of genius, men of wide diversity of talent. Their numerous works testify that their marvelous manual skill was guided by a fine intelligence. The products of their arts were both useful and beautiful, and in their labors they must have secured far greater happiness than falls to the lot of the human being of to-day whose business it is to stand beside a machine from sunrise till sunset, without striking fire of a single thought, without putting into his labor a single idea. When money is the sole end and aim, and the processes by which this is secured are void of interest for the laborer, then indeed is his lot a hard one.

Now, a large proportion of the youth of both sexes attending the common schools and the high schools are the children of mechanics or tradespeople. Let me ask if there is not, in popular education,—when carried too far in certain directions unsuited to

the needs of the class of pupils attending public schools,—a wrong tendency, under false ideas, the effect of which is to render the young restless or scornful of the conditions in which they were born, and for which by nature and circumstance they are properly fitted? These conditions, the sphere of handicraft especially, should be rendered more honorable and more satisfying and happy, by bringing to them a higher intelligence—the educated mind. It is a false pride that is manifested in the restless desire to get above these honorable kinds of labor, to secure a kind of *shoddy* place in what appears to be commonly regarded as more "respectable" occupations. This is abominably false, these estimates. Quentin Matsys working at his anvil, at Antwerp, has left a more honorable name—certainly a more famous one—than have some kings, or innumerable presidents of colleges and corporations. One of the important truths to be impressed on the minds of the young, by education, is that there is equal morality and dignity in all forms of labor that enlist the higher faculties. But when manual labor is of that character which renders the artificer an unthinking machine, and his work a mere physical grind for daily bread, then must this labor merit the slights cast upon it by aspiring youths. It then no longer appeals to the mind and the imagination as a means of exercising the faculties in beautiful and ingenious inventions. A blacksmith recently told me that skill was no longer a requisite in his craft, and consequently it was a lost art. The machine furnishes every needful thing that is made of metal, and the smith but welds the odds and ends, or is occupied with mere journeyman's work. And it is the same with the carpenter, who no longer has even the tools for working ingeniously in wood. He receives his materials ready formed from the *mill*. He is unable to devise or construct the simplest molding.

The machine has, in some respects, had its day. Its function is to supply to the masses what hitherto the few alone could enjoy. This is its great merit. But now it is discovered that there is a large class of persons whose taste will never accept machine-made things. They require in everything with which they surround themselves some expression of human sensibility and thought. In short, they demand that things shall be beautiful as well as useful. And if we all clearly understood what the word *beautiful* signifies we would, doubtless, be of one mind in this desire—for it is the way of the Creator, "who hath made all

things *beautiful* in His time." That scorn of beauty, which the practical utilitarian prides himself in manifesting, is but a gross form of ignorance. It was only the other day that the Hon. Thomas Hughes, in addressing a large audience at Cincinnati, said: "It is necessary, my friends, if society is to be raised, as we hope that it will be, that there should be a distinct acknowledgment that the cultivation of beauty is a necessity of our times for all the nations. I believe it to be," he said, "a necessity of human life."

This is all pertinent to our subject—Art-education and the teaching of drawing in the public schools. If I make it clear that design enters into the larger part of the occupations of man, from the highest manifestations of fine art to the lower forms of manufacture and handicraft, then unquestionably I prove its usefulness and its title to a prominent place in the scheme of popular education. It should have greater prominence and a more stable place than that accorded it by the timid recognition it now receives. At the tail end of the curriculum it is tacked on as a doubtful appendage, and the time awarded instructors in this branch is but the odds and ends of unfilled moments, altogether inadequate for practical and proper results.

But let us see how far behind the age we are in debating this subject. In France, it was long ago recognized that drawing should be taught in all the schools; and I have indicated how actively and eagerly the English are developing this branch of instruction, and with what vast results. In Germany, a similar activity is manifest. A department of the fine arts has, within a few years past, been engrafted upon the Universities of Oxford, of Cambridge, of London, of Paris, of Yale,—not to mention a large number of colleges of less prominence. The Sheffield Scientific School has for eight years past recognized the fact that even a rudimentary discipline in the elements of free-hand drawing is of value to their students, and they have regularly sent their freshman class to the Yale Art School for this instruction. With these precedents, we may safely infer that drawing has a recognized value in the plan of education adopted by leading nations and leading institutions. It has long since passed its experimental phase abroad, and why should we be slow in recognizing its value here, where, from the very nature of our industries, it is greatly needed in furthering the ends of design in manufactures and in countless occupations that engage the minds and hands of an ingenious and inventive people?

Now let me recapitulate, in brief, the advantages that may be derived from drawing as an educational discipline: It develops and concentrates the powers of observation by imitation; it exercises the analytical and synthetical faculties; it trains the hand, and renders it a skillful instrument of mind; it furnishes a means, only second to that of written or spoken language, for communicating ideas; it gives experimental or definite form to inventions and designs that cannot otherwise be placed before the eye and the mind, except in the more laborious and costly form of physical models; it tends to bridge over the gulf between the theoretical and the practical by compelling a strict subservience to truth in defining natural forms, and by making these forms conform to nature and to common sense under the tests of the sense of sight; it opens to the mind the universe of sensible appearance, to which we are often unconsciously blind; it is a means of livelihood, of intellectual recreation, and it acquaints one more intimately with the wonderful beauty and structure of the world in which we live. As a means of education, therefore, undeniably it has its place, and this should be accorded due prominence. Education, if it means anything, is the quickening of the powers that enable us to live,—ideally and practically, morally and mentally,—or that give us the the capacity to enjoy and expand this life; and Art, even in its simplest form, tends to these ends. To bring about the desired results, by giving drawing its proper place in our common schools, the following suggestions may not be out of place: There should be general superintendents of this branch of instruction, whose experience and talents would wisely direct the simplest and best methods of discipline in the elements of design; and under them there should be, in all the schools, teachers who have received certificates from some acknowledged school of art, whose course is extended and thorough. The competition to secure these certificates, which should be limited to the needs of the schools and the state, would insure a high order of accomplishment and skill in those who received them. As it now is, there is little or no proper qualification necessary to secure a place as teacher of drawing, whereas in other studies some thoroughness of training is deemed essential. Then, again, the time allotted to this study should be adequate for attaining useful results. A merely superficial dabbling, at odd intervals, and measured by a few otherwise unoccupied moments, can avail nothing. Lastly, drawing

is not fine art—requiring special talents of an exceptional and rare kind—any more than language is poetry. One of the absurd errors not infrequently met with in ordinary discussions of this subject is the confounding of the draughtsman with the artist. One may be a perfectly skilled draughtsman and yet not be an artist,—as one may have a perfect command of language and not be a poet. The teaching of drawing in the public schools should be exclusively with reference to forming draughtsmen,—to provide the pupils with a knowledge of the grammar of Art and the practice that will enable them to employ this knowledge as a language of sensible forms in the ordinary occupations of life. In whatever occupations a knowledge of form is essential, the value of good draughtsmanship is plainly recognizable.

But, leaving these so-called practical considerations, let me offer a few suggestions with reference to the higher forms of Art-education,—the objects that engage the attention of Art-schools, in professional instruction: What is Art, in a higher sense? In its æsthetic sense, as distinguished from the practical, or utilitarian, it is simply a language of sensible forms, emotional, and designed to awaken pleasurable impressions. Its aim is poetic. Whatever is beautiful or true—for these are but interchangeable terms in Art—has that inherent quality which addresses the intelligence agreeably or happily. This is observed even in instances where the materials employed are of the most painful or tragic character—as in the "Macbeth" of Shakespeare, or in a "Crucifixion" by Rubens or Rembrandt.

There are various kinds of truths manifest in nature, and the value of these truths, personally and individually, rests upon the order of our sympathies. The anatomist formulates the knowledge of the structure and functions of all parts of the physical system of man, for instance; while the artist, or the dramatist, exhibits to the sense the form, action, and expression of which this system is susceptible under all the varying conditions of life. Harvey explains for us the wonderful phenomenon of the circulation of the blood; while Shakespeare, without this knowledge, but with an equally profound sense of the value of truths of a different order, exhibits to the mind this living organism under all the active impulses of passion and emotion. Art, in imitation of nature, exhibits to us the blush of pride or of shame, the swollen veins of passion, the blanched features of

fear, the livid look of despair—all outward manifestations of that same great fact discovered by Harvey. A knowledge, therefore, of the structure and mechanism of this wonderful creation cannot reasonably be held to be of greater importance than the poetic manifestations of the emotional life it manifests. When, therefore, the artist seeks in nature the truths of form, character, and expression which are the components of the sensible appearance, and conforms to these his own creative impulses, he is occupied with that which is of no less importance—to say the least—than is the scientist who formulates the laws of structural organisms. Art, in the performance, is the exercise of the inventive or formative faculties of mind. It is creative. The artist employs methods of analysis and synthesis that are not exercised to a greater extent in any other study. Without venturing very far on merely metaphysical ground, we may readily see that the higher faculties are exercised and disciplined by the study of Art, and they are, by this means, developed more exactly and more usefully than by merely abstract methods. The great body of human intelligence does not reason from mere abstractions, by logical formulas; but from *things*, from experience of the sensible realities that surround us.

Ignorance of the nature of the disciplines afforded by art-practice may cause one to infer that they are little more than a kind of lawless indulgence of fancy, if, indeed, the other extreme view be not held, that it is but a training of the hand and eye. But the necessity, in Art, of a strict conformity to natural truths forces the mind into those undeviating channels through which alone flows the very essence of truth. The scientist is not more profoundly devoted to the scrutiny of the facts of nature than is the artist. The facts observed and digested by them, however, are scrutinized with distinct ends in view—one inquires for the sake of knowledge, the other for the sake of production.

The disciplines of Art, therefore, develop the higher faculties of mind, and they lift upon a higher plane the emotional experiences. The constant exercise of the inventive faculties in Art, on the basis of close observations of nature, tend to develop these faculties (contrary to purely literary traditions) in an eminently practical way. Science and the useful arts have been frequently indebted to artists for important discoveries and inventions. Without casting the eye beyond the limits of our own time and

country, I may mention Robert Fulton, the inventor of the steam-boat, who was a portrait-painter; Morse, the inventor of the telegraph, who was a distinguished artist and president of the National Academy of Design; and Alvan Clark, of Cambridge, who excels all the world in making telescopic lenses, who was likewise a painter. There are others I might mention, whose inventions and discoveries have been marked, though of less conspicuous value to the advancement of civilization. Here, therefore, within these narrow limits of time and place, without looking abroad or into the remote past, we find conspicuous examples of the effect of accurate and sustained habits of observation—of the trained senses and the trained faculties developed and acting in unison, as exercised in the practice of Art. I might add illustrations from the experience of the great masters in Art,—Michael Angelo, Leonardo da Vinci, and others,—showing the intellectual energy with which they passed from one art to another with a quick intelligence; erecting vast structures of achitectural and engineering skill, while at the same time engaged in the employment of artistic skill in poetic creations, in works of a finer art, that have commanded the unstinted praise and homage of mankind. But this may be well understood, and occasion little surprise, if we consider the fact that Art is invention, and that the creative faculties, which are the supreme faculties of mind, are engaged in every true work of art in the invention of forms, even of ideal forms, in imitation of nature and under the guidance of her laws.

JOHN F. WEIR.

THE LIMITATIONS OF SEX.*

THE epigram is the refinement of the proverb. Both claim to be the crystallized expression of human experience. As the oracular sayings of the weather prophet influence the vulgar mind by the broad fitness of their Delphic generalities, so the authoritative dictum of the epigram fascinates the more cultured by the wide sweep of its dazzling comprehensiveness. To the intellectual epicure, well-presented pabulum possesses the fascination which the tempting mysteries of the French *cuisine* exercise upon the confiding traveler. Sophism becomes objectionable in the inverse ratio of its polish, and Shakespeare is rejected for Pope.

The particular merit of Miss Hardaker's "Ethics of Sex" is due to the pen of a clever stylist. Her racy sentences, her spicy antitheses, tickle the mental palate. A like superficial attraction is the ostentatious confession of natural inferiority in the female, by a professedly thinking member of the sex. This confession appeals as forcibly to the vanity of the man as its epigrammatic expression to the favor of the critic; but the careful reader, seeking for the source of Miss Hardaker's verbal cascades, discovers no clear rivulet of investigation by which they are nourished, but an apparently miraculous upheaval from a soil arid as Moses's rock.

When a cultivated woman deliberately endeavors to limit the widening sphere of feminine power, it becomes necessary to examine her assertions and arguments upon their own worth, allowing neither brilliancy of style nor quaintness of statement to influence a discussion fraught with vital interest. The labor question and the woman question are the problems of our time, and any new light by which their relative positions of employer and employé, of male and female, may be more fittingly adjusted, cannot fail to meet ultimate appreciation. We are yet in the condition of the midnight student who longs for

* A review of Miss Hardaker's "Ethics of Sex," NORTH AMERICAN REVIEW, July, 1880.

a touch of an Edison's wand to transform his dim lamp into a clear, diffusive jet.

The cant term of fashionable science, which Miss Hardaker, with characteristic love for high-sounding words, employs as a title to her essay, is as inapplicable as much of the illustration appended to it is inaccurate. The *ethics of sex* is the relative duties arising from normal divergences of male and female structure, or a code of laws based upon such duties. These duties Miss Hardaker, except in the single case of suffrage, does not attempt to discuss. She has merely set forth sexual distinctions which may eventually form the foundation of an enlightened legislation.

In furnishing such data, Miss Hardaker has primary recourse to psychology. From the study of characteristics, capabilities may be measurably educed. But psychological investigation alone cannot produce a permanent code of ethics, for psychological phenomena vary materially according to the stage of culture. Lasting ethical laws must be based upon some common rule to which all psychical manifestations may be referred. If the ecstasy of the saint, the enthusiasm of the prophet, the magnetic attractions and spiritual communings of soul to soul, as well as the most ordinary act of existence, could be found dependent on a certain well-defined conformation of physique, then could a new revelation be formulated which would cease to be of value only with the extinction of the species. The tendency of modern science points to anatomy as the key to the psychological problem. To anatomy, with physiology as its interpreter, Miss Hardaker therefore resorts.

Three distinct propositions, each bearing upon the other, are the foundations of Miss Hardaker's superstructure. They are as follows:

Quantity of power is in proportion to the size of the body; quantity of thought to the weight of the brain; kind of thought to the kind of brain.

Women are inferior in general culture. "What sufficient cause can there be for this relatively lower development than the relatively smaller bodies and brains of those who exhibit the defect?"

Man does more thinking than woman; his brain is known to be heavier; *ergo*, largeness of power and material are equal to each other. "Small brains cannot give birth to great thoughts."

Man does better thinking than woman in any department of effort common to both; *ergo,* his brains are more finely constituted. Therefore, "until nature gives woman as large and as finely constituted brain as man," she can never hope to attain his possible development. Until nature is reversed, woman must be considered an inferior being, and legislated for accordingly. Here is the pith of Miss Hardaker's contribution to the embryonic sexual code. The law of human gravitation has been found.

Before we accept so weighty a doctrine, a glance at the means of its advent would hardly be amiss. Every statement of scientific facts not so generally accepted as to have become axiomatic, must either be proved by satisfactory evidence or confirmed by standard authority. Now, none of the above assertions can be relegated unquestioningly to the realm of acknowledged truth, nor is proof or authority adduced in their favor.

Two facts cannot be said to be identical merely *because* they are coincident. Such coincidence, indeed, may suggest a possible connection, and thus furnish an incentive for experiment which may prove or disprove their apparent relation. Our most profound students have yet reached no definite conclusion upon the occult connection between brain and brain power. Special experiments have shown certain coincidences, but no physical test has yet been discovered by which kind and quality of thought may be measured.

Let us pause, however, before we dismiss unproved affirmations as false, though for all purposes of just controversy we may rightly consider them null. A further probing of the question may evolve the true law which underlies the sexual relation in its bearing upon civilization. In doing so, it must be remembered that the aim sought is to discover the normal relation of male to female; for only upon a determination of native capacity can modifications be properly estimated. An accurate comparison, however, can be reached only approximately. The examination, to be exact, must take place between original members of the species, and between them at a stage of similar development.

The culture of the sexes has been essentially different from its very outset. We may disagree regarding the causes of such divergence, but the fact is universally recognized. Our experience presents no ground for a precise calculation of relative sexual powers. We can but reason from external evidence.

The physical code of honor (for physical distinction is the

first we shall consider) is in our own times diametrically opposite in its application to masculine and feminine natures. The social approval bestowed upon the man who resents an insult with a blow is turned into scorn for the woman who strikes a female slanderer. The mother who delights in the agility of her son reproves with a designation of "unlady-like" the daughter who enjoys her brother's sports. How far such fictitious estimates of womanly propriety have been augmented by traditional rules of conduct it is impossible to tell. That they arose in a normal difference in muscular force may be gathered from the reflection that all primitive governments have recognized the divine right of the most powerful blow. That women succumbed to such an argument, when such was the single weapon of contest, is sufficient assurance that she was obliged to do so. No philosophical considerations of the greatest good to the greatest number awarded the field and the hearth to the male and the female respectively. Natural tendency sought natural outlets.

The position of physical dependence once accepted, the disability must tend to increase. A disuse of the defeated powers would become inevitable because any assumption of them would be apt to lessen the favor of the protector. Besides, the human mind is not so constituted as to struggle with what has been imposed upon it as a natural fact. At the same time the female undervaluation of physical ability has received additional sanction from the very direction of our civilization—a civilization which tends to the submission of physical to mental prowess.

The history of civilization is the history of mental evolution. As the savage rule of force yielded to the enlightened sway of reason, the vital energy was diverted from the organs of physical power to the vehicle of thought. The particular cultivation of any part of the frame has a tendency to depress the rest. The brain of the athlete registers a weight below the average, while a rigidly scholastic life is not calculated to harden the muscles. Human progress follows the march of the mind. The primeval majesty of the Anakim has surrendered to the spiritual fervor of the Egyptian slaves; the gigantic stature of the mediæval baron has bowed to the slight form of the cloistered monk. The inclination of our development to the supreme valuation of the intellect is nowhere more clearly demonstrated than in the modification of warfare. The battle-axe of a Cœur De Léon, and

the mighty arm that wielded it, have been laid in the dust by a tiny rifle-ball.

Unless it can be shown that the originally larger physique of the man endowed him with greater vitality, we may conclude from the considerations just debated that the smallness of woman's frame does not preclude her from sharing alike with man in the species of development we call civilization, and which represents the annals of a decline in muscle, nor from claiming full equality in the new ethical code which is valuable in proportion as it is the wise outgrowth of that civilization.

A superior vitality of the masculine frame cannot be asserted, unless active force triumph over endurance. The real worth of physical power as a factor of future progression lies in the measure of its capacity to endure mental strain. Now endurance, or latent power, is known to be the characteristic of womanly nature. The argument that such endurance must be diverted from the support of mental activity to the bearing of physical ailments is less valid than it appears. That woman is not a victim, destined to be divinely tortured into a state of chronic invalidism, is proved from the observation of those whose natural forms have not been distorted, and who have had the same opportunities for physical exercise as their brothers have enjoyed. The functions of motherhood might indeed seem a clog to the mental advance to a portion of the sex, but that result is by no means a necessary and natural one. Even among men, except among the minority whose lives are devoted to study, mental effort is sporadic rather than continuous. A constant enlargement of woman's opportunity may be argued from the consideration that, in general proportion to the increase of cerebral culture, the intervals between motherhood show a tendency to lengthen.*

We will now examine the second proposition, or the interdependence of brain quantity and mental range. Craniological researches present several points favoring a ratio between cerebral avoirdupois and caliber of thought. The principal of these suggestions are the following: †

Civilized nations possess a greater weight of brain, and they display a wider variation in individual bulk than savage peoples.

* See "A New Theory of Population," *Westminster Review*, April, 1852, by Herbert Spencer; also "Principles of Biology," II., Chapter 13.

† See J. B. Davis's "Thesaurus Craniorum," Appendix A.

The decided superiority of civilized peoples, both in culture and in brain size, intimates a ratio between the degree of education and the increase of the organ of thought. This phenomenon, however, merely indicates the fact that education augments brain, and not that normal size represents innate capacity. The periodical examination of the brains of the negro during the intellectual evolution of that lately emancipated race, would demonstrate the truth of an educational augmentation. The mental significance of native bulk can only be reached by applying an identical test to different peoples whose original brains are not identical in weight. The African aborigines, for instance, are superior to the Australian by several ounces of cranial pulp. Any measure of the respective abilities of the two races, based solely upon their respective brain weights, would be unjust and unscientific. Both must be subjected to the same advantages before a natural difference of capability can be maintained.

Like evidence is absent in the contrast between the mental power of man and woman. The fact that the brains of the male savage are larger than those of his mate, cannot be considered expressive of his greater native capacity, unless such capacity is distinctly enunciated in the course of co-education. Conscientious missionary work may in time supply statistics in this branch of inquiry—statistics whose compilation has heretofore appeared inconsistent with a spiritual calling.

The radical diversity of sexual training in cultivated nations forbids a common measurement. An inherent disability to avail herself of national progress cannot be predicated of the female unless the same inducements to culture have been offered her as have tempted the male. A glance at history will show that no inducement for self-cultivation has been held out to woman. The primitive peoples, cognizant only of the force of muscle, and unsuspecting any other attribute in the obtaining of power until their own development pointed out such attribute, chose for their king the most able in the ability which savage life demanded. In the first estimate of fitness no prejudice could mingle, and had woman been possessed of greater muscular power, a race of Amazons would probably be dilating now upon the naturally restricted sphere of male progress. When, however, humanity had been divided by physical divergence into a ruling and a ruled caste, a traditional law was established against innovation. The king, discovering that a cultivation apart from

that of the body was demanded in order to retain ascendency, availed himself of his legal and domestic power to render that culture peculiar to the royal line, lest the force accumulated by serfs would threaten his throne. This is the compendium of woman's position.* That it is not her natural and necessary place is strongly suggested by the prevailing struggle of the female for a fair test of her abilities. If such a struggle is entered, and such a right claimed only when the human mind has become cultivated, may it not be fairly argued that such claim and such struggle were not made in an earlier portion of the course because of some extraneous coercion? That coercion was the right of might, which progress, with the minority as its ensign-bearer, is about to reverse.

While no actual standard of the relation between normal brain mass and capacity has been found, an undefined ratio between increase of size and of thought is confirmed by the larger general variation in the brains of cultured than in those of barbarous peoples, together with the specific finding of remarkably heavy ones in some distinguished men. The savage brain, exposed to a comparatively meager number of mental considerations, diverges little from the normal average weight, while the cultivated organ, influenced by the varied and conflicting ideas which arise from the accession of knowledge, shows an almost individual diversity. The members of an untutored race worship a common divinity in the national god or gods; in the cultured, each thinker constructs his special deity, and a wider polytheism becomes an outgrowth of civilization. Hence it appears that the larger variation in the brains of educated nations may be considered indicative of the range of their education. The measurements of J. Barnard Davis† show a greater proportional difference between the developed male and female brains, than between those of the savage man and woman. If both these propositions are true, the latter points, by the same process of reasoning as that by which the former was attained, to a greater divergence in the culture of the civilized male and female, and not to a natural defect, as the cause of such divergence.

Upon reviewing the anatomic facts presented, we may argue that Cuvier's additional fourteen and a half ounces of pulp indicates the supremest mental development yet reached by his race, but we cannot logically conclude that the French savant's

* See Mill's "Subjection of Woman." † "Thesaurus Craniorum," Appendix A.

remarkable brain weight denotes a higher progress than would be signified by a like increase in the aboriginal Australian, above the probably lower avoirdupois in the normal organ of the latter.

The discovery of exceedingly large idiot brains, and of unusually heavy healthy ones apart from distinguished ability, does not act as adverse evidence against a relation between increase of thought and cerebral size. A rheumatic leg may bear a superficial likeness to the limb of an athlete, and the clergyman, born of a race of smiths, may possess a muscle out of all proportion to his calling. Still, while the anatomic finding of large brain weights in men of ability is limited to a few special cases, and, while noticeably acute intellects are perceived co-existent with brains which exhibit no remarkable development, the general conclusion that accession of thought does tend to the increase of its organ cannot be safely converted into a law which shall estimate individual progress by the size of individual brain.

Miss Hardaker's final physiological statement that quality of thought represents quality of structure is gratuitous. Medical science records no essential dissimilarity in the constitution of the male and female brains apart from their difference in size. The quality of material, and the cranial circulation, appear to be identical.*

In Miss Hardaker's search for a physiological principle to cover the variation of quality in thought, her faulty reasoning is most clearly displayed by a recourse to the *petitio principii*. Her revolving logic takes this form: "The question of (brain) quality can be readily settled by an appeal to facts. . . . The intellectual and æsthetic productions of men are of finer quality than those of women. . . . While the physiological fact remains, the psychological one must keep it company."

Let us now examine her psychological observations apart from their physiological connection. The bill of indictment which Miss Hardaker brings against her sex is comprehensive; its numerous counts are, however, summarized in the opening paragraph of her psychological diary.

* The cerebellum is, by some authorities, estimated to be proportionately larger in woman than in man (see Solly's "Human Brain," second edition, page 173), but no special significance is attached by them to this variation. Thurnam observes a larger ratio of brain to body in the male, Tiedemann in the female. Todd ("Anatomy of the Brain," etc., page 190) denies that there is any difference between male and female cerebellum.

Woman does not think as deeply nor as broadly as man, neither does she desire to compete in this particular. Here is the large generalization which covers a multitude of feminine sins. While thought is the prime motor of human progress, that which is inferior in comprehensiveness and profundity can never be eminently valuable under such progress. If woman does not think as deeply or as broadly as man, she is prevented by that very fact from grasping large ideas and communal interests. She must perforce confine her activity to the individual, and refrain from making states or ruling them; from discovering, inventing, or excelling in art and literature, and from propagating religions. All these directions of human ability call for preëminence of thought in proportion to their success.

But the discovery of universal inefficiency in the female could be of no ethical value whatever, unless, on the one hand, such inefficiency could be proved to be the result of native incapacity, or unless past restrictions were continued indefinitely. The constant enlargement of the field of woman's usefulness forbids the acceptance of the latter alternative. The former alone is entitled to consideration.

In reviewing the physiological distinctions between the sexes, the causes leading to the present adjustment of woman's position were discussed. Psychologically, the evolution of power, both domestic and governmental, may be roughly classified under three heads: Tyranny, Revolution, Republic. The moral claim of moral fitness, in its application to the right of competition in labor, and to the privilege of suffrage, is a direct outgrowth of the latest civilization, and is so far opposed to autocracy of muscle or hereditary right that it supposes each man "fit" until he is proved to be the contrary.

The phase of government which the van of mankind has reached is now the goal of woman. Her revolution has been tardy because her household Tyrannus has riveted closer chains than the political one. His divine right is enforced by her fear of bodily torture, of privation when separated from the provider of the very minutiæ of existence, of loss of love, of the very conversion of the brute force of muscle to the brutal force of the sneer. But her revolution, though late, has begun, and now she pleads for a fair trial of those abilities which constitute masculine title to superiority. She cries for recognition as a creature of the same species, and her claim must be conceded, if any

special effort of hers has shown that thought in general masculine limits is not inconsistent with womanly nature. If any one of her sex has been known to transcend its alleged capability, this exception so far invalidates the general conclusion as to suggest hidden possibilities for the sex, and these possibilities are augmented as the exceptions increase. If one queen has been acknowledged by her own force of character, if one great female artist or thinker has been given to the world, the rule of structural incapacity no longer holds. The general acceptation of the maxim that the exception proves the rule is an example of the pernicious grasp of a proverb upon the human mind. The exceptional is ever the index of the possible.

Now, certain feminine capabilities may be logically inferred from a careful reading of Miss Hardaker's female biography. "The main psychological distinction between men and women is that men think more than women, and their thinking is of a better quality because it is chiefly carried on in the form of reasoning, and is drawn from a wider field of facts." . . . Brain activity is a constant phenomenon in both sexes, but much of this activity is merely emotional in woman. . . . If the mind be brought into continual contact with large facts and extensive interests, it makes a continual effort to take in such interests. . . . Women must gain such an intellectual culture as shall lift them out of their exclusive indulgence of the emotions."

While woman's province is restricted to home, which is the center of the emotions, her activity will naturally find vent therein, but a recognition of her right of competition with masculine exertion will call larger powers into activity. Niagara cannot be considered permanently unfit for utilitarian purposes because it now expends itself in scenic effects.

Self-reliance is new in the history of woman. Civilization is slowly opening the tradition-barred gates of justice to allow her to plead her cause in its halls. It is but a short time ago that the greatest novelist of the age deemed the assumption of a masculine title a surer method of securing entrance and hearing than the presentation of the feminine name and claim of Marian Evans.

Since experiment has been tried in the removal of some feminine disabilities, what are the results of the test? Female applicants for admission to medical colleges, who were impeached in the accusation that they sought only additional stimulus for emo-

tional excitement, who were branded by the dogma that they were incapable of close and thorough study, now successfully compete in clinical halls with male students, and beyond them with male practitioners. Schools in which co-education is the basis of instruction report that the female maintains fully as high a class standing as the male. Women supplied with an incentive for study do not spend their school hours in dreaming of the possible heroes that shall give them daily bread for a just proportion of caresses.

As particular evidence of the general incapacity, Miss Hardaker declares that the highest flight of the female mind cannot equal the supreme effort of the male. Excluding George Eliot as an abnormal specimen of womanhood, Miss Hardaker contends that no woman can be compared to Shakespeare, nor do Mrs. Browning, Madame de Staël, or Charlotte Brontë equal Schiller, Goethe, or Auerbach in common branches of literature; while in more abstruse departments no near approach to male excellence has been attempted by the female. Now, the same law that excludes Eliot from the pale of legitimate womanhood must bar Shakespeare from the circle of natural manhood. To say that there may be difference of opinion in regard to the merits of the other writers named cannot be deemed an evasion of the issue. But the truth that women have become distinguished in fiction rather than in exact science admits of strict analysis. Imagination, the store-house of the poet and novelist, is stimulated less by a wide accession of facts than a deep insight into ordinary emotions. The Iliad was not the lesser epic because Homer was unacquainted with true geography, nor are Shakespeare's dramas less valuable because Coriolanus wears the verbal garb of an Anglo-Saxon warrior. Women, confined to an observation of the human heart and its manifestations, were fitted by their surroundings to portray the emotions. A modicum of culture, necessary to afford facility of expression, was required, and that modicum infinitely enlarged has enabled the greatest of literary women to present, in her preëminently imaginative novels, an exact philosophy of human emotions. The same observations, apparently applicable to art and measurably to oratory, cannot really be so considered, because these accomplishments, unlike literature, require a wider study and a more powerful impetus than can be obtained in the confinement of home.

If the recorder of human feeling is not primarily dependent

upon extraneous education, the scientist, the mathematician, the historian, and even the higher religious reformer, is directly so supported. The precise difference between the influence of the boy who sends his kite to the skies and Franklin, lies wholly in the profound research of the latter, which draws heavenly fire with a child's plaything. Only years of devotion to study enable Newton to extract a law of universal gravitation from the fall of an apple, or Mommsen to write a philological history of Rome, or Swedenborg to become more than a spasmodic revivalist. Until a thorough education is applied to woman, we cannot assert that she is incapacitated to discover a law of animal magnetism, nor would an accusation of general inferiority be warranted even if she could never construct a *pons asinorum*.

Miss Hardaker presents yet another factor of permanent masculine superiority. It is the actual gain in time. For thousands of years men have been studying while women have been mentally idle, and the "same stimulating circumstances which impel women forward will act with equal force on man. So, unless he play the rôle of tortoise" (Miss Hardaker means *hare*), or even if he play the rôle for hundreds of years, he will still excel in the intellectual race.

Let us inquire in what intellectual particulars man is in advance of woman. The apparent gains are two—the accumulative possession of more numerous ideas acquired by the male in course of progress, and the habits of reflection generated by such accumulation. These facilities look more formidable than they actually are. Woman, by the involuntary process of nature, is prevented from remaining isolated in the march of civilization. The female child is as truly the heir of the father as the male. Though repression in the daughter and education in the son may occasion forced mental distinctions, yet it is undoubtedly true that the more enlightened the father the more capable the daughter. Place the male and female side by side on the road to learning. What indigenous advantage has the former? Ideas, we affirm. Not so, replies closer thought. Ideas themselves are neither innate nor structurally transmitted. They must be the peculiar acquisition of each individual. The knowledge previously garnered by the thought and experience of men is the historical inheritance of the girl as well as of the boy. She need not be taught hieroglyphics while he memorizes the modern alphabet. She will not seek the heights of philosophy in the

vagaries of the Ionian school while he engages his attention with Darwin and Haekel. Male and female alike use the hoarded knowledge of ages as the scaling-ladder of common ascent.

If actual ideas are not transmitted, still habits of mind may be so perpetuated. The masculine nature, from its long-continued contact with wider interests and more numerous ideas, has acquired more accurate habits of thought. Herein lies the real advantage, and only time, whose every division shall record greater mental effort for accuracy on the part of woman, can remedy the discrepancy. The results of freedom are already felt. The pressure of unmoved prejudice bearing upon each woman who seeks a new channel of activity, and the invariable law of competition calling for the survival of the fittest, make her stimulus to exact habits of thought greater than that which urges her male competitor. With such impulses a habit ought to be acquired in a few generations. The intellectual evolution of four centuries, unstimulated by the spurs which goad women to higher activity, has transformed Goetz von Berlichingen into a transcendental philosopher.

When we dismiss as frivolous the conclusion that woman cannot comprehend and manage large interests, because she has administered her restricted duties with much ability, we close the mental indictment, and meet with a new phase of female depravity. Miss Hardaker perceives a glaring hypocrisy and unscrupulousness on the part of woman. The "philosophic spirit" which prompts Miss Hardaker to object to the exceptional woman as an indication of female capability, sets up a being outside the pale of honest womanhood to display the positive existing infirmities of the sex. Miss Hardaker must be singularly unfortunate in her companionship, or she must be afflicted with a moral bias similar to that possessed by "Ouida," when she adduces as a type of her sex the female who paints her face and furnishes stolen ideas, to win the favor of men; the wife who habitually takes money from her husband's purse while he is asleep, to supply reasonable needs. Such instances cannot be fairly introduced as typical, unless the inhabitants of our prisons be displayed as examples of our civilization. Miss Hardaker, however, does not believe this defect a native one. She deplores and advocates the removal of a sexual dependence which has necessarily fostered a disease so apparent to her—a dependence which, if her previous reasoning be correct, is the

adjustment of structural diversity, and therefore, in any wide sense, incapable of removal.

With a statement of woman's moral delinquency the review of sexual peculiarities is ended, and Miss Hardaker is moved to express her opinions on female suffrage. Her syllogisms take this form:

Women cannot grasp large interests; the state is the largest of interests; hence women cannot make states.

Moral fitness constitutes moral claim; women have no moral fitness to govern; hence they have no claim to govern.

Yet, adds the reasoner, "There is no natural law which should keep women from exercising the suffrage power. . . . No one can deny them the right to vote." It is hardly possible to correct such logical obliquity with proper seriousness. To do so, however, it is sufficient to state briefly the fundamental principle on which the right of suffrage is based.

The state is an artificial institution that protects the community against individual aggression, and expediency, not nature, declares what individual in the community shall have a right to legislate for the society of which he is a part. No independent natural law can be produced which can entitle any being to a share in politics. Human reason may discover a law that prevents men from flying, or from breathing under water, but no structural distinction which compels an individual to be a voting or non-voting animal. Now, if it is true that woman cannot grasp the large interests involved in the use of the vote, the right can and ought to be denied her by the very standard of fitness that Miss Hardaker has adopted, and which, by its estimate of natural capacity, becomes relatively a natural law; she must be excluded from the ballot on the same grounds upon which lunatics and minors are denied that privilege. But if, as we have shown, no native disability for comprehending large interests can be affirmed of woman, she may for reasons of expediency, and must for reasons of justice, be granted a trial in legislation.

Perhaps the key to Miss Hardaker's flexibility of conclusion is the consideration of the superior fitness in moral suasion to argument in dealing with the softer sex. The female tax-payer is patted metaphorically upon the back, and induced by flattery to relinquish on patriotic grounds that which she may claim on personal.

"No one can deny you the right to vote," whispers the mentor. "You need not eat the cake because it is set before you. Even though politics might develop your mental power (thus making you more independent and less hypocritical), the exercise of legislation would be disastrous to you, because you would not be so happy in the study of political economy as in that of character. Your brain energy, now expended in emotional excitement, would be diverted to political channels, and thus led away from æsthetic and other light sports in which you may be harmless though never supreme. Besides, you are not required in the administration of state; all its work can be better done than by you, and you could add no advantageous element to government, because (even though yourself morally debased at present) you would seek the character of the candidate rather than the good of the community. You need not fear missing a share in the benefits of legislation so long as you can influence the favor of men. Then, too, you do not actually want to vote, you know. Most women repudiate the idea, and really good men keep away from the polls. Politics is an unclean game, and soils dainty fingers."

Such is Miss Hardaker's intellectual juggling, stated in its proper form and devoid of rhetorical embellishment. To it a few words of reply may not be untimely.

How women can best be happy, and what offices of government they are less capable of filling than men, remain to be demonstrated. Miss Hardaker is no more justified in asserting an invariable dictum on these topics than the quondam discoverers of "woman's sphere" were authorized to depict the nursery and the kitchen as the natural continents superincumbent upon a sea of emotionality.

The fact that the majority of women do not want to vote is no measure of the propriety of the minority's claim. The Russian peasant, ignorant of the advantages of liberty, is irresponsive to the great idea for which the student is battling. We have already discussed the impediments to a sexual revolution. Not long ago, Mrs. Oliphant, in an article upon the "Grievances of Woman," confessed that fear of ridicule and abuse now prevents women of her own caliber from becoming publicly identified with the Woman's Movement.

A Diogenes lamp is not needed for one to perceive that Miss Hardaker sets a premium upon female dissimulation, when per-

sonal influence upon men is to be the means of obtaining favorable legislation for women; nor is the Greek's lantern required to show that politics are impure because the best men do not fulfill their duties as citizens at the ballot-box, and because the personal character of the candidate is less sought than his availability for party triumph. If Miss Hardaker's prophecies be true, they point to the fact that women are peculiarly fitted to supply a primary element of good government, whose absence is now widely deplored.

The discussion of Female Suffrage virtually concludes Miss Hardaker's exposition of sexual ethics. Yet in view of the fact that another element of sexual relation (although one not arising from the considerations discussed) presents its demand for attention, she adds an inconsequential appendix. She desires her disciples to understand her repugnance to Free Love, as an item in the statute-book of the coming race.

But here our refutation ends. We do not propose to follow Miss Hardaker's labyrinthian speculations through any extraneous topic. The object of this writing has been to show that Miss Hardaker's physiological and psychological statements are inaccurate and incomplete in themselves, and valueless in their application to a permanent ethical code. We have presented the truth that physical size cannot be shown as a factor in our mental development; that the ratio between normal quantity of brain and of brain power has not been scientifically determined; that no essential variation between the constitutions of male and female brains is known to exist; and that existing mental traits cannot be found indicative of the real female nature, because no scope has been afforded to womanly endeavor. Collaterally, we have produced evidence of a higher capability in woman—evidence gathered from Miss Hardaker's statements themselves, and from the only facts upon which her dicta might be founded.

A glance at the appendix, however, is in the line of our purpose, because it will serve to exhibit the "intense personality" which has modified her decisions. Her prejudice against her sex is strikingly displayed in the beginning of the "free-love" discussion. Miss Hardaker says:

"The very great majority of women, with their inability to take in facts in their larger relations, have nothing but utter condemnation for a movement which attempts the destruction of the

family in the name of reform. The majority of advocates of this social theory are men, who show that they have thought on the question, but that their conclusions have neglected some of the influential facts."

It may be aptly questioned whether family sanctity cannot be defended on broader moral, social, and political grounds than can the theory by which Miss Hardaker tries to enlighten the male "free-lover." We shall not discuss the comparative value of a hypothesis which restricts the ideal to unity because the multiplication thereof would require a multiplication of brain activity, and so divert thought from its proper channel. We can but wonder at the erratic path of the logic that seeks in strange ways the solution of a problem which its own course has clearly indicated.

When the avenues of advancement are thrown open to woman, she will no longer be compelled to seek marriage as a means of self-protection. Her honored exertions can supply her physical wants, and remove the necessity for emotional excitement as a safety-valve for superfluous energy. No incentive will then be offered to artificial charms that allure but to disappoint, because wedlock will be embraced only if it appear to better her condition, and such improvement in the lot of a cultured woman must rest upon her congeniality of purpose with her husband. She will therefore insist that his standard of morality be as elevated as her own, and thus she will sanctify marriage by removing the fictitious sexual distinctions which the power of the male has imposed upon the dependence of the female. Equality, intellectual and moral, is the key to the sexual problem.

NINA MORAIS.

THE MISSION OF THE DEMOCRATIC PARTY.

THE events and processes of more than a generation have taken the control of governmental affairs away from the intelligent rule of the masses and vested it in a power as yet formative and undefined. Among these were the civil war, the creation and peculiar manipulation of the public debt, reconstruction outside the Constitution, universal negro suffrage, a plethora of paper money, loose public morals, enormous growth of private fortunes, and a close connection of the government with the banking interest. Each had its weight in sapping the foundations of a government by the masses, and in shaping our course toward a different rule. Whether that rule is to be suffrage, qualified and rarified, or suffrage controlled by the power of aggregated wealth or monopoly, or a senatorial oligarchy, or hereditary government, is beside the present inquiry, save as they each and all show distrust of the people, and build their foundations upon universal suffrage, debased, corrupted, and dominated.

The tendency toward a so-called stronger government is as manifest as are the causes that have given it form. It is in the nature of things for government to grow stronger at the expense of the governed; but the plain proof of the existence of this tendency is found in the opinions of the federal judiciary, in federal legislation over matters heretofore within the control of the people of the States, in the modes of execution of those statutes, by which local rule, local courts, and personal liberty are overthrown, and in that ramification of Executive patronage which sends its mandates to the extremities, and at will gathers in a single hand enormous contributions and unscrupulous obedience from ninety thousand paid officials. "Executive patronage will bring us to a master." A net-work of office-holders, bound each to the other, wielding time and money and power of place to pack primaries, dictate nominations, crush independent thought and action, and subordinate local control to the will of an Executive who governs in the name of party, points the road with unerring certainty to the end that Franklin, the wise man, predicted.

Further guide-boards on that road are seen in large donations of money by corporations, monopolists, and wealthy men, to supplement the power of the Executive, and carry elections in the interest of an aristocratic class who dislike and distrust the people; in the domination of employé by employer; in the marked ballot; in the third-term candidacy and pilgrimage on the stump; in the National and Labor organizations, which are but overzealous protests against this tendency, and in that ill-concealed demand for energetic government, which has been the fundamental thought of the opponents of Democracy since the days of John Adams.

The issues of 1799 and 1800 again confront the people. The theories of that day are again to struggle for the mastery. The government of the republic is already centralized. The canvass of 1880 teaches this. The federal Executive has been felt from the ward caucus to the vaults of the Treasury, from the primary to the Presidential election. A high federal official quits his place to take a nomination for governor of the pivotal State, and at once the Executive arm is extended to his support. Marshals, detectives, collectors, secretaries, and all else that are needed, locate themselves within the State, and its suffrage is debauched and its undoubted will reversed. A suffrage, first debased, then corrupted, then obedient, is centralization in its worst form. This is but one means to the end sought. The mission of the Democratic party is decentralization. Its duty is to restore the government of the republic to the intelligent rule of the masses of the people. It must teach and practice the doctrines of its illustrious founder. It must appeal to the people themselves in their own interest. It must preach the eternal truth that the individual citizen is the unit in government, from whom proceeds all power, in whom is vested all rights save those which are granted by him for the good of the whole. The people at the base, the States and the federal government each supreme within its sphere, is the system to which it looks for liberty, and it must teach that he who looks to paternal government, to centralization, or to empire, looks to despotism. Care for and perfect the government, and it will protect the liberties of the people, was the thought of Hamilton. Give intelligence and information to the people, teach them that it is their government, and their interest to preserve law and order, was the thought of Jefferson. Paternal government and vigor in the federal head on the one hand, information to the masses and energy from the extremities

on the other. The former gave the republic alien and sedition laws, direct taxation, federal marshals, and centralized rule in 1799. The latter swept these out of existence in 1800; carried us successfully through two foreign wars; acquired an empire of territory, and governed the country for sixty years. We must choose between these two now. The Democracy must again plant itself upon the axiom, "Governments are made for men, not men for governments." It must strike with mailed hand the tendency to strong government. It must be true to the people and aggressive in its fealty. Dominated labor must be taught its rights and its interests. Capital must see its safety in the intelligence and justice of individual rule, and not in the exercise of arbitrary will. Honest performance of every governmental contract now in existence, but a change of policy by which the debt shall be managed in the interest of the people and not of the creditor; equal taxation on every form of property; thorough inquiry into taxation for revenue and its re-adjustment upon a basis just to every interest and to all the people; no monopolies; forfeiture of the franchises of corporations and punishment of aggregated wealth, or individuals, for coercion of employés, or the use of money in elections; our own carrying trade made to be our own preserve; and a divorce between government and banks, are thoughts which find place in such an issue. The cry of a "Solid South" is exhausted and impotent at last. It has served its purpose. Divided councils upon questions of administration have kept the Democracy a mere party of opposition, and concealed the silent approaches of the enemy to strong government. It will continue to be a party in opposition, untrusted and untried, until it defiantly asserts its ancient theories and goes to the people for their vindication.

The Democratic party is not dead. Antæus-like, after each defeat it arises from the people stronger than before. It cannot die whilst it teaches and believes in the rights of the masses. The hour for its triumph will have come when it boldly asserts its true theories and ignores the blandishments of money, monopoly, and corrupt power. He whose interests, judgment, or teachings are adverse to the rule of the masses will join its enemies, but in his room it will recruit scores of those in whose interests it strikes, or who respect its attitude and detest strong government. The future of the Democratic party is the future of the republic.

WILLIAM A. WALLACE.

RECENT PHILOLOGICAL WORKS.

1. Transactions of the Philological Society. Addresses of the President on the Society's Dictionary, 1879, 1880. London: Trübner & Co.

2. Deutsches Wörterbuch, von Jacob Grimm und Wilhelm Grimm, fortgesetzt von Dr. Moriz Heyne, Dr. Rudolf Hildebrand, und Dr. Karl Weigand. IV. Bandes I. Abtheilung, II. Hälfte. Zweite Lieferung. *Geheien—Gehorsam.* Bearbeitet von Dr. H. Hildebrand. Leipzig: S. Hirtzel. 1880.

3. An Etymological Dictionary of the English Language, arranged on an Historical Basis. By the Rev. W. W. Skeat, Professor of Anglo-Saxon in the University of Cambridge. Oxford: Clarendon Press. 1879–1880.

4. Vergleichendes Wörterbuch der Indogermanischen Sprachen, von Dr. A. Fick. 4 Bände. Göttingen: Vandenhoeck & Ruprecht. 1874–1876.

It is the custom in the Philological Society of England for the president to deliver an annual address containing a report of what has been done in each branch of philology during the preceding year.

The main interest in the address of President Murray, in 1879, is to be found in his report upon the Society's English Dictionary.

This great work was begun on the suggestion of a paper by Dean Trench, which was read in November, 1857. It is proposed to make a complete historical dictionary. All the important books in the language are to be read, and quotations made for all the words in them, each quotation to be made on a slip of its own according to a uniform plan. The slips for each word are to be sorted out, classified by their meanings, and arranged in historical order, so as to give a biography of the word.

Dr. Murray was able to announce at last that the delegates of the Clarendon Press in the University of Oxford have assumed the entire financial responsibility of the undertaking. Dr. Murray is to edit it, with sub-editors. The letter A, four hundred pages, is to be out in 1882, and the rest to follow within ten years, if possible. A certain additional dignity and

importance is given to the work by this action of the greatest and richest seat of English learning—"that Oxford, which has been so gloriously associated with every development of the language and literature of England."

As soon as the contract was arranged, Dr. Murray began to build an iron *scriptorium* detached from other buildings, and, in his address of 1879, he says that it is finished up with 1029 pigeon-holes for the slips, and with other needful apparatus, and that he has moved in the old slips. He reckons them by the ton. His assistants have set to work to sort them into their pigeon-holes. An appeal for more readers had also been issued. It called for a thousand volunteers. Books of American authors, and of British authors of the eighteenth century, were reserved for American volunteers.

In the address of 1880, Dr. Murray says that his anticipations have been more than realized. Seven hundred and fifty-four readers have responded and have undertaken 1568 books. He has supplied them with 625,035 printed slips; 924 books have been finished and have yielded 361,670 quotations. Dr. Murray speaks with enthusiasm of the responses from the United States, both as to their number and kind:

> I do not hesitate to say that I find in Americans an ideal love for the English language as a glorious heritage, and a pride in being intimate with its grand memories, such as one does find sometimes in a classical scholar in regard to Greek, but which is rare indeed in Englishmen toward their own tongue; and from this I draw the most certain inferences as to the lead which Americans must at no distant date take in English scholarship.

So far Dr. Murray. He says further:

> The number of professors in American universities and colleges included among our readers is very large; and, in several instances, a professor has put himself down for a dozen works, which he has undertaken to read personally and with the help of his students. We have had no such help from any college or university in Great Britain.

The professors in England are content, it seems, when they have talked to their students about the dictionary and advised them to help.

We can add a little to Dr. Murray's mention of the American work. Two hundred and seventy-eight American authors and fifty-five others have been undertaken here. Their works make 1008 volumes. There are 150 readers, of whom Pennsylvania gives 25; New York, 18; Massachusetts, 17; Connecticut, 10;

Illinois, 10; Maryland, 8; New Jersey, 8; Michigan, 6; California, 6; New Hampshire, 5; Indiana, 5; Ohio, Wisconsin, Delaware, Kansas, 3; twelve other States, 1; Japan, 2; Canada, 2; Italy, 1.

The American authors selected are such that they will be pretty sure to yield quotations for all the words used to name the physical features, productions, and other objects of the country, and the peculiar acts, habits, and relations to be found here. The common words will also be fairly illustrated by quotations from our statesmen, lawyers, and theologians, and our men of science, as well as our poets, novelists, and historians. There are, however, many other books which ought to be read. Every happy expression of those thoughts which Americans most value, which can be found in print in suitable compass for quotation, ought to be put on its slip and sent to Dr. Murray.

Over in the *scriptorium*, they are beginning to think that they have material enough for the words of general literature. They are calling most for readers of treatises in science, art, commerce, and the like, especially of those written by Darwinians, who give a new meaning to large numbers of words in all branches of thought which they discuss. Readers are also asked to undertake to register the words that strike them in the daily and weekly papers, as well as in the magazines and scientific periodicals.

As the work goes on and the slips are collected for each word, many words are found to have too few slips. The editor has begun sending out special lists of these. The first list contains all the words as far as Ad-, for which it is thought there should be earlier, or later, or better quotations than have been sent in. The work had advanced to Al-, about one hundred and sixty pages in all, when Dr. Murray's address was delivered, and he hoped to finish A this year. A few pages are printed as a specimen; they show what an immense distance there is between the best of the old dictionaries and such a store-house as this—a distance which is seen not only in the great array of facts before unknown, but also in the scientific method, the large classifications, the penetrating discrimination, all implying an advanced stage of philological knowledge.

In studying the pronunciation and spelling of the English words, all sorts of difficulties are encountered from the irregular and deceptive spelling of the language. Dr. Murray devotes a considerable part of his addresses to this subject. He finds

that there are thousands of words whose etymology and history are falsified or disguised by their spelling, as when *island*—old English *iland*—is made, by the insertion of silent *s*, to look as though it were derived from Latin *insula*, or when the connection between *can* and *could* is obscured by inserting *l*, or that between *whole* and *hale* is obscured by prefixing *w*. At Dr. Murray's suggestion, the Philological Society is about to issue a descriptive list of such words, in the hope that it may lead to the improvement of their spelling.

A difficulty also arises in representing the pronunciation of the words. Each of our letters stands for several sounds; *a* has seven common sounds, *e* five, *o* six, and so on. It is necessary, therefore, to adopt some conventional key-alphabet in which each character shall uniformly represent the same sound. Such a key-alphabet is needed in all books which have occasion to denote pronunciation, and attempts are making, under the auspices of the National Association of Great Britain for the Promotion of Social Science, to bring about the adoption of such an alphabet for scientific purposes.

There is one point in which the dictionary as now made is to differ from that which was at first proposed. It was intended to make much of etymology. Every one was urged to send in to the editors any well-considered derivations of the words. But it is carefully stipulated by the Oxford delegates that no remote derivations are to be given. Dr. Murray regrets this; but we have no doubt the delegates are wise in excluding matter which would be sure to be copious, and not at all sure to be of permanent value. Other scholars, like Professor Skeat, can give us an etymological dictionary. Dr. Murray will find abundant employment in weaving his slips into scientific articles. If he goes on with as much elaborate acuteness as he shows in the specimens already published, he will soon begin to grudge every line which he is obliged to give to accessory matter, and every hour drawn off for its preparation. Life is short. Let him remember the great "Deutsches Wörterbuch."

This original and exemplar of the modern historical dictionary was begun in 1837 by the brothers Grimm. The first volume appeared in 1854. In 1859, the younger brother, Wilhelm, died. In 1863, the great master, Jacob, laid down his pen forever in the midst of the word *frucht*. There Weigand took it up, and Heyne and Hildebrand also took hold with him; and ever since, with-

out rest, if without haste, the endless procession of parts has been coming from the press. Here is the latest for 1880, from Hildebrand. It extends from *geheien* to *gehorsam*, pp. 2345–2536 of volume iv. Heyne, to be sure, is in *L*, in *lernen*. But it does not seem likely that any of the present workers will live to see the final *fascicle*. Everything is treated with German thoroughness. Some of the articles would make large books. In the latest number, *gehen* occupies 2376–2475, one hundred long columns in fine type—a goodly volume. The articles prepared by Grimm are apt to contain interesting discussions of the matter of thought involved in the meaning of the word, or general philological matter. But the articles nowadays are a pretty steady stream of quotation-slips, like those which Dr. Murray is collecting, guided in their course by a more or less elaborate system of divisions and subdivisions, with guide-posts and brief directions and explanations. Remote derivations and etymological discussions are not attempted. The Grimms were indeed full of enthusiasm for such studies, especially when they were connected with the early history of the Germanic race. Imagination has hardly done better work in the cause of science than that which Jacob Grimm has done in creating the early history of the Fatherland on the hints which he finds in the mother-speech. His discoveries of the laws which govern the changes of words are well known. Grimm's law has been in the science of language what Kepler's laws have been in astronomy. He regretted that the knowledge of comparative etymology had not reached sufficient certainty to make thorough etymological discussion of the German vocabulary possible in the dictionary.

It is to be noticed, however, that a very considerable part of what the laity count as etymology is really recorded in the quotation-slips. These begin with Gothic, and come through Old High German, and Middle High German, down to the language of Luther and Goethe, through fifteen centuries of change. To make up the record for this period with accuracy and certainty is the most laborious and most useful part of High German etymology. This is the kind of work which Dr. Murray is to do for the English language, and which Littré has essayed to do for the French language. Work like this in the separate Indo-European languages is the necessary foundation for a thorough knowledge of the relations of the words in each speech to those in the other speeches, and to the original words and roots of the

parent speech from which they all are descended. It was not to be expected, nor, indeed, to be desired, that the students of etymology should wait till all these tons of slips have been turned into scientific knowledge and fairly printed, before they make excursions into the profounder etymology. The Germans, waiting for Grimm to be finished, welcome Weigand's etymological dictionary, and the English, who are waiting for Dr. Murray, have welcomed Webster and Müller, and will now welcome Skeat.

Professor Skeat's plan is comprehensive. It includes all the kinds of information which common students wish. First and most important, under each word, after its general definition and designation, is its history within the language.

Mr. Skeat goes on with the etymology, however, following up *back*, for example, to the Indo-European root BHAG, to turn. (Fick, i., 154; iii., 198.) He also adds cognate words from other languages, and the English derivatives and kindred words.

Where the derivation is doubtful, conjectures are given, and discussed often at some length. There is also much elementary exposition of the exact processes and laws according to which one word is derived from another.

It is a matter of course that a first edition of a book in which so many facts and so much sound reasoning are called for should have its short-comings and mistakes. The half million slips of historical quotations which Dr. Murray has at hand will be sure to furnish corrections and additions to the historical matter. Under *aback*, for example, we shall learn when our people first began to amuse themselves by writing both *c* and *k*. A more exact application of phonetic laws will also change a considerable number of etymological deductions, and enable the author to omit a good many hypotheses and arguments for and against them. The vocabulary may well be enlarged. An octavo would be a more convenient form for common use. But all these improvements will come naturally in successive editions, and it may well be a standard etymological manual for many generations.

The part of it which is most exposed to complete revolution would generally be supposed to be the ultimate derivations from the roots and forms of the parent speech of the Indo-European family; *back* comes from BHAG, it is suggested. And what do we know about BHAG? Professor Skeat refers to Fick's "Com-

parative Lexicon of the Indo-Germanic Languages," volume and page, as though that were enough to say. There is certainly such a book, and it contains a dictionary of the parent speech. The existence of the tribe who spoke the speech is a pure hypothesis, as much as that of the luminiferous ether, or the vortices of Descartes, or the fourth dimension of space. There is no relic or record of them in Euclidean space; there is no whisper of them in tradition. Each word attributed to them is a separate hypothesis, or series of hypotheses. And yet here is a lexicon of their speech, and it has reached a third edition. It is, in fact, the crowning work of the philology of Bopp, and, in a certain sense, the highest achievement of the historical science of language: for it is a product of historical science. It was the work of Bopp to demonstrate that Sanskrit, Persian, Greek, Latin, German, Lithuanic, Slavonic, and Celtic are sister speeches, no one of them derived from any other, but all sprung from a common parent. His followers ever since have been working out innumerable corollaries of this proposition. Fick's "Comparative Lexicon" is a collection of them. When two of the languages are compared, the words of the same meaning in each are laid side by side, as in Latin and Greek, *can-is* and *κυών*, *κυν-ός*, the words for *dog*. Neither of these was derived from the other. There was a time when the common ancestors of the Greeks and Romans used a word for *dog*, from which both *can-is* and *κυών* are descended. The problem is now presented to devise some word which will give *can-is* when the laws of Latin phonology are applied to it, and also give *κυών* when the laws of Greek are applied to it. Fick finds the solution in *kuan*, which is therefore one word of the speech of the hypothetical Græco-Italians. By going through all the words of Greek and Latin in this way, a large vocabulary of Græco-Italic is made out. It fills 288 pages of Fick. In a similar way vocabularies are made of the parent speeches of other pairs of languages, then of all Europe, and of the Aryian languages in Asia. And so, height above height, we reach the common ancestors of all the Indo-European peoples, who must have called their dogs *kuan*, it seems, since that is the word which will give *canis* and *κυών*, and *hund*, and all the rest, under the working of the laws which govern the several speeches. A hundred philologists have been at work collating groups of kindred words in these languages, and attempting solutions of the problems they present. The lexicon of Fick is an encyclo-

pedia of the results, and it must be acknowledged to be a work of much value, as well as a great curiosity. If one wishes to know the current opinions about the remoter etymology of Indo-European words, they are here made accessible. If one wishes to form judgments of his own, or prosecute researches, materials are here presented from the widest range in an orderly and compact manner. If one doubts the doctrine of Bopp in regard to the development of the languages of Europe and India, here are the facts with which to refute it, or be convinced of it. If the doctrine and its results be accepted as sound, and we believe that we have here, in reasonable exactness, the speech of a real people, we are enabled at once to enter into the most fascinating examination of their circumstances and character. If they had the word for *dog*, they had the dog; in the same way we learn that they had the horse, the ox, the sheep. They were shepherds; they had houses and gardens. The family relations were acknowledged and named. Large volumes have been devoted to following up this line of investigation, and making out this primeval history. The method has been used to good purpose, also, in the earlier Grecian history by Curtius, and the Roman by Mommsen, and still more fully by Grimm in his "History of the German Speech."

Dry as Fick's pages look, they are full of matter for all thoughtful minds.

F. A. March.

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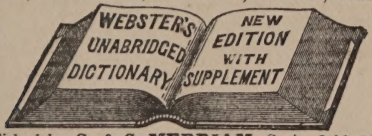

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A BUILDER'S TESTIMONY.

Chas. S. Strickland, Esq., Builder, No. 9 Boylston street and 106 Harrison avenue, Boston, thus speaks: The pleasure which I hereby attempt to express, can only be half conveyed by words. Physicians of very high character and notoriety have heretofore declared my rheumatism to be incurable. Specifics, almost numberless, have failed to cure or even alleviate the intensity of the pain, which has frequently confined me to my room for three months at a time. One week ago I was seized with an attack of acute rheumatism of the knee. In a few hours the entire knee joint became swollen to enormous proportions and walking rendered impossible. Nothing remained for me, and I intended to resign myself, as best I might, to another month's agonies. By chance, I learned of the wonderful curative properties of St. Jacobs Oil. I clutched it as a straw, and in a few hours was free from pain in knee, arm and shoulder. As before stated, I cannot find words to convey my praise and gratitude to the discoverer of this king of rheumatism.

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G. A. HEILMAN,
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Amos James, Esq., proprietor of the Huron House, Port Huron, Mich., writes as follows: I suffered so badly with Rheumatism that I was unable to raise my arm for three months. Five bottles of St. Jacobs Oil cured me entirely.

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Mr. Joel D. Harvey, U. S. Collector of Internal Revenue, of this city, has spent over two thousand dollars on medicine for his wife, who was suffering dreadfully from rheumatism, and without deriving any benefit whatever; yet two bottles of St. Jacobs Oil, accomplished what the most skillful medical men failed in doing. We could give the names of hundreds who have been cured by this wonderful remedy, did space permit us. The latest man who has been made happy through the use of this valuable liniment is Mr. James A. Conlan, Librarian of the Union Catholic Library of this city. The following is Mr. Conlan's indorsement:

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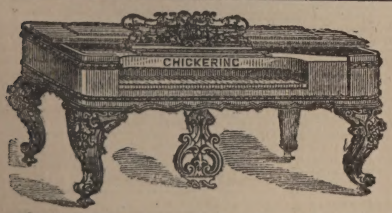

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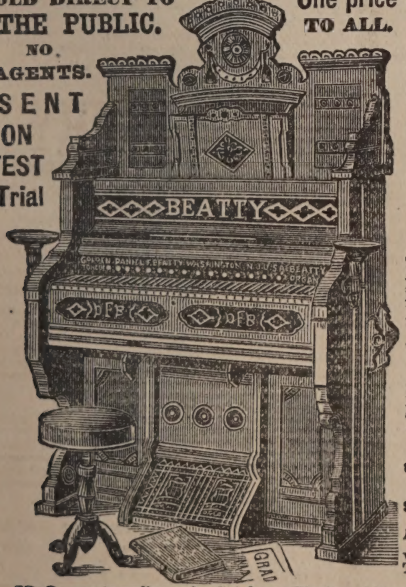

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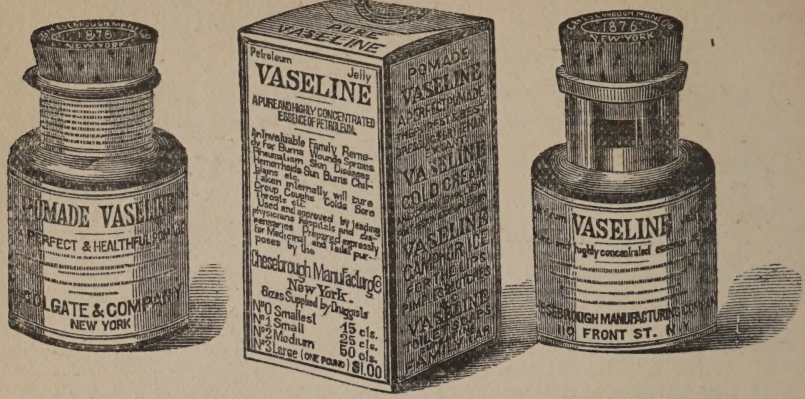

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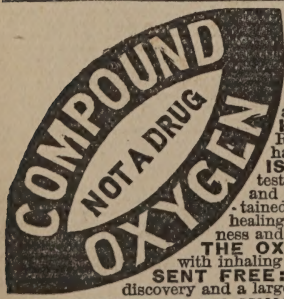

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THE

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FEBRUARY, 1881.

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NORTH AMERICAN REVIEW.

No. CCXCI.

FEBRUARY, 1881.

THE NICARAGUA CANAL.

THE construction of a ship-canal across the isthmus which connects North and South America has attracted the attention of governments, engineers, and capitalists, in this country and in Europe, for considerably more than half a century. The allusions to the possibility and importance of such a work made by travelers and scientists, almost from the time when America was discovered down to the day when practical investigations were commenced by the government of the United States, had left a deep impression on the public mind; and the rapid growth of the American Republic in population and wealth, the increasing commerce between the Atlantic and Pacific oceans, the long, tedious, and dangerous passage from shore to shore around Cape Horn, all tended to strengthen this impression, and to establish the conviction that the interest of the American people in the commerce of the world required a water communication, from sea to sea, across the Isthmus of Darien. It is now more than fifty years since this project first received serious consideration on this continent. Under the administration of Mr. Adams, in 1825, correspondence and negotiations commenced, which have continued up to the present time. Turning from one government to another for aid in carrying out the scheme, the people of Central America soon arrived at the conclusion that they must look to the United States for the completion of the work, and that to them especially, on account of location and institutions, belonged

the right to unite with that state through whose territory the canal might run, in its construction and control. In 1830, in 1831, in 1835, in 1837, in 1839, in 1844, in 1846, in 1849, in 1858, plans were proposed to the governments of the United States, England, and France for the commencement of the work, until the breaking out of the civil war in this country presented a more important topic for consideration, and overshadowed all questions relating solely to industrial development and international commerce, and ended in results which have given new and vast interest and importance to every enterprise which can add power to the republic and advance the prosperity of its people. Stepping at once into the front rank among the powerful nations of the earth, the United States has entered, as it were spontaneously, upon a career of development almost unparalleled in the history of the world. By the growth of States along the Pacific coast, by the erection of trans-continental lines of railway, by the occupation of new lands, by the opening of new mines, by increasing mechanical and manufacturing enterprises, by the introduction of her products on an amazing scale into the commerce of the world, by her devotion to a system of finance which requires incessant industry among all classes of the people, and the cheapest possible means of intercourse and transportation, the United States has given new and deeper importance to every method by which industry can be advanced and commerce can be promoted. It is during this short period that the value of even the most expensive highways has been proved, that mountain ranges have been penetrated by costly tunnels, and distant seas have been connected by costly canals, and it has been demonstrated that the most extravagant investments in works of this description are remunerative under the vast commercial ebb and flow which characterizes the present age. Of the necessity for, and advantage of, intercommunication of every description, therefore, there seems to be no longer a doubt; and it is with this conviction that the United States government is called on to consider now once more the value and importance of an interoceanic canal on this continent.

Of the advantages of this canal to our industry and commerce it becomes us, therefore, first to speak. In this connection it should not be forgotten that the states of North and South America lying along the Pacific furnish in large abundance those commodities which are constantly supplied with

markets in almost every country of Europe. Of guano and niter the trade is immense. From the ports of Chili nearly 400,000 tons of freight are shipped eastward annually. More than 1,000,000 tons of grain are shipped each year from the Pacific States and Territories. There is no doubt that more than 4,000,000 tons of merchandise find their way from these regions to the East, and require water communication in order that they may be shipped economically and profitably; and this is merchandise to which railway transportation across the continent is wholly inapplicable. The great wheat crops of California and Oregon, for instance, find their way to Liverpool around Cape Horn at the freight-rate of fifty cents per bushel—a rate which would not carry it by rail half-way to Boston or New York or Philadelphia, to be there shipped to its European destination. In addition to the commerce of the North and South American ports referred to, there may be estimated also the advantages which would accrue to the trade of Australia and the remote East Indies bound to Great Britain, and which would undoubtedly add 1,000,000 tons to the freight seeking a passage through the canal. When we consider the time and distance saved by the canal for this vast amount of merchandise by avoiding the passage around Cape Horn, and the importance in these days of rapid transit, and of a ready approach to a destined market, we can readily understand the value of the enterprise to producer and shipper and consumer alike. Leaving out of consideration the dangers and delays of the Cape, we should not forget that by the canal now proposed the distance from New York to Hong Kong is shortened 5,870 miles; from New York to Yokohama, 6,800 miles; from New York to San Francisco, 8,600 miles; from New York to Honolulu, 6,980 miles; from Liverpool to San Francisco, 6,065 miles; and from Liverpool to Callao, 4,374 miles; and we need no longer question the value of an interoceanic canal on the Western continent, as we have long since abandoned all doubt of the value of the Suez Canal to the commerce of the nations of the East. To Europeans the benefits and advantages of the proposed canal are great;—to the Americans they are incalculable. Forming, as a canal properly organized and constructed would, a part of the coast-line of the United States, it would increase our commercial facilities beyond calculation. Interfering in no way with the interests of those lines of railway which connect the Atlantic States with the Pacific, but tending

rather to stimulate and increase the activity out of which their traffic grows, it would cheapen all staple transportation and add vastly to the ease and economy of emigration from the East to the farms and mines of the Pacific slope. That a canal will be of great benefit to the commerce of the United States, also, there can be no doubt. Meeting as we do a formidable competition in the carrying-trade to foreign ports, we find in our coastwise navigation an opportunity for a profitable use of American bottoms, protected by our own commercial laws. A continuous coast-line, including our eastern and western shores, therefore promises an increase of this navigation sufficient of itself to make a canal a matter of the utmost importance to our people.

In view of these advantages, the question naturally arises with regard to the most feasible route for the canal, both as regards economy of construction and convenience in use. On this point it would hardly seem as if there were room for controversy. The difficulties which surround the Panama scheme have been so frequently and so forcibly set forth, that they need not be elaborately repeated here. The floods of this region, caused by sudden and immense rain-fall, have attracted the attention of the most careless traveler, and have perplexed and confounded the scientific engineer in his attempts to provide some method by which to overcome the difficulties which they create. The impassable and unhealthy swamps lying along this route have always been considered unfit for a water-course, and so destructive to human life that labor and death seemed to have joined hands there. The necessity for long and expensive tunnels or open cuts, and for a safe viaduct, has added vastly to the expense of the route when estimated, and to the obstacles to be overcome by engineering. The most careful surveys have always developed a discouraging want of material for construction. The addition of five hundred miles to the distance between New York and the ports on the west coast of the United States by the Panama route over that of any other feasible route proposed, and the long and tedious calms which prevail in Panama Bay, have never failed to create opposition to this route in the mind of the navigator. The enormous cost of the Panama Canal, moreover, has never been denied. Considering the engineering difficulties attending the diversion of the Chagres River, and the necessary construction of an artificial lake to hold its floods, together with the tunneling, or open cuts, to which allusion has already been

made, the cost of this canal cannot be less than $400,000,000, and would probably be much more—including the payment to the Panama Railroad for its concession. No American capitalist would be likely to look for dividends on an investment like this.

Turning from the Panama route, therefore, as one which, when practically considered, has but little to recommend it, either as a commercial convenience or a financial success, we are brought to the consideration of the Nicaragua route, as that to which the attention of the American public is most strongly drawn at this time. The advantages of this route are: the ease and economy with which the canal can be constructed; the admirable approaches to it from the sea, both east and west; the distance saved between Liverpool and the North American ports over that of the Panama route; and the distance saved, also, between New York and other Atlantic cities and the ports of the United States on the Pacific. The cost of the Nicaragua Canal has never been estimated above $100,000,000; indeed, Civil Engineer Menocal, whose judgment and capacity have never been questioned, gives the following as his estimate of the entire cost of the work, after long and critical examination:

Western Division—from Port Brito to the Lake. Distance, 16.33 miles; estimated cost	$21,680,777.00
Middle Division—Lake Nicaragua. Distance, 56.50 miles; estimated cost	715,658.00
Eastern Division—from Lake to Greytown. Distance, 108.43 miles; estimated cost	25,020,914.00
Construction of Greytown Harbor	2,822,630.00
" Brito "	2,337,739.00
Total. Distance, 181.26 miles; cost	$52,577,718.00

A subsequent estimate, based on more recent surveys made by Mr. Menocal, has reduced this amount to $41,193,839—a reduction of $11,383,879; and by abandoning the valley of the San Juan River in favor of a direct route to Greytown,—ascertained to be entirely practicable,—the distance is reduced to 173.57 miles, the total canalization being but 53.17 miles.

It is well known that the Suez Canal, and, in fact, almost all great public works, cost far more than the estimates made by engineers. But applying this rule most liberally cannot bring the outlay on the Nicaragua route above $100,000,000. The surveys of this route, made subsequent to those of the other routes

proposed, have developed extraordinary facilities for the work. Materials needed for construction are abundant throughout the entire line. The harbors of Brito and Greytown, at the western and eastern termini, are capable of being easily made convenient and excellent. The water supply from Lake Nicaragua is free from deposit and is abundant and easily obtained —the lake itself being the summit level of the canal. The rain-fall is not excessive. The climate during the trade winds is delightful. The country is capable of producing all the subsistence that would be required by the laborers employed in the construction of the canal. The local productions are valuable, and such as constitute many of the most important articles of commerce. In the construction, feeders, tunnels, and viaducts are not necessary. Dependent nowhere on streams which in the rainy season are irresistibly destructive, and in the dry season are reduced to mere rivulets, the canal would always be provided with a uniform and easily controlled supply of water.

A canal constructed on this route, and at the estimates before us, could not fail to be an economical highway as well as a profitable investment. Estimating the cost of the canal at $75,000,000, a charge of $2.50, for canal tolls and all other charges, would give a gross income of $10,000,000 on the 4,000,000 tons upon which former calculations have been based. Deducting from this $1,500,000 for the expenses of maintaining and operating the canal, we have $8,500,000 as the net earnings of the work. Any reasonable modification of these figures would give an encouraging exhibit. The liberal concessions made by the government of Nicaragua to the Provisional Interoceanic Canal Society indicate a determination on the part of that government to make the burthens of the enterprise as light as possible, and to leave its government entirely in the hands of the American projectors. While in the Panama concession provision is made for the entry and clearance of vessels at the terminal ports, with the delays and annoyances usually attending such requirements, the Nicaragua concession avoids all interference by custom-house officials, except so far as to prevent smuggling and violations of the customs laws. This concession provides: "There shall be a free zone upon each bank of the canal, of one hundred yards in width, measured from the water's edge, it being understood that the lake shores shall never be considered as the margin of the canal. Within this zone no illegal traffic shall be conducted, and the

customs authorities will watch and prevent smuggling in accordance with the provisions of Article 32 [of the concession]. It is expressly understood that every vessel traversing the canal will, whenever the authorities desire it, receive on board a guard [customs officer] appointed by the government, who will, in case of discovering their violation, exercise his powers in accordance with the law." The articles of the concession also provide that the "two ports to be constructed and to serve for entrances to the canal on each ocean are declared to be free, and will be recognized as such from the beginning of the work to the end of this concession." While the administration and management of the Panama Canal, moreover, are placed in the hands of an independent company, deriving its powers from a foreign government, and organized on the plan adopted in the construction of the Suez Canal, the commerce availing itself of the benefits of the Nicaragua Canal is protected by the government of that country against all extortion. In Article 42, the concession provides that: "It is understood that the company, in the exercise of the powers here conferred, cannot make other regulations than such as are necessary for the administration and management of the canal, and before issuing these regulations will submit them to the government for its approval." In order to protect still further the interests of those using the canal, it is provided that all sums necessary to secure interest on the funded debts, obligations, and shares, not exceeding six per cent. for interest, and also a sinking fund, shall be reserved; and that "what remains shall form the net gains, of which at least eighty per cent. shall be divided amongst shareholders, it being understood, after ten years from the time the canal is completed, the company cannot divide amongst the shareholders, either by direct dividends, or indirectly, by issuing additional shares or otherwise, more than fifteen per cent. annually, or in this proportion, for dues collected from the canal; and when it is discovered that the charges in force produce a greater net gain, they will be reduced to the basis of fifteen per cent. per year." These provisions indicate not only the confidence of the projectors in their enterprise, but also the determination of the Nicaraguan government to guard against all possible injustice to the commerce finding a highway there.

That there are other advantages contained in the concession of the Nicaraguan government, and in the proposed administration and management of the Nicaragua Canal, there should be no

doubt in the mind of every American who believes in the power and supremacy of his government on this continent. The concession is made to Americans, the society is made up of Americans, the corporators are Americans, and the act of incorporation is asked of an American Congress. Every step of this project recognizes the right of the United States to guard with jealous care the American continent against the encroachment of foreign powers. To this policy no nation and no cluster of adjacent nations, watchful of their own individual or collective interests, should take exception. It is the foundation of national existence everywhere. An American man-of-war, having on board the greatest naval commander of modern times, pauses for forty-eight hours at the mouth of the Bosphorus to recognize the right of an European power to control the waters of the Dardanelles and the Black Sea. It cannot be supposed for a moment that an American company, incorporated by the American government, organized on American soil, would have been allowed to construct the Suez Canal, even if it had established a branch of its enterprise in France and placed it under the supervision of a distinguished and representative French official. And so it is with us. The policy laid down in the early days of the Republic, and accepted from that time to this by the American mind, by which the colonization of other nationalities on these shores was protested against, should never be forgotten. The violation of this policy has always roused the American people to a firm assertion of their rights, and cost one American statesman, at least, a large share of the laurels he had won by long and honorable service. The application of this principle even now secures safety and protection to a line of railway spanning the Isthmus, and connecting the eastern with the western waters. The assertion of this principle by a treaty made with Nicaragua in 1849 is accepted to-day by all Americans, people and officials, with entire satisfaction. The rejection of that treaty in order to prevent a collision between the United States and Great Britain, and to preserve unharmed the policy of an administration, is regarded as one of the most complicating and compromising acts of American diplomacy. The accepted and acceptable policy of the American government is contained in the doctrine announced more than half a century ago by President Monroe. It is to be found in the attitude assumed by our government in all the long diplomatic discussion which followed the ratification of the

Clayton-Bulwer treaty;—a discussion in which General Cass, then Secretary of State, declared an analogous treaty as recognizing "principles of foreign intervention repugnant to the policy of the United States";—a discussion in which by negotiation Great Britain was compelled to recognize the "sovereignty of Honduras over the islands composing the so-called British Colony of the Bay Islands";—a discussion in which the President of the United States "denounced the Clayton-Bulwer treaty as one which had been fraught with misunderstanding and mischief from the beginning." "If the Senate," said the President to Lord Napier, "had imagined that the Clayton-Bulwer treaty could obtain the interpretation placed upon it by Great Britain, it would not have passed; and if I had been in the Senate at the time, it never would have passed." It is in obedience to this policy that the United States has protested against the establishment by Great Britain of a protectorate in Central America, either on the Mosquito coast or on the Bay Islands. And it is in accordance with this policy that President Hayes, in his message of March 8th, 1880, declared that:

"The policy of this country is a canal under American control. The United States cannot consent to the surrender of this control to any European power or to any combination of European powers. . . . The capital invested by corporations or citizens of other countries in such an enterprise must in a great degree look for protection to one or more of the great powers of the world. No European power can intervene for such protection without adopting measures on this continent which the United States would deem wholly inadmissible. If the protection of the United States is relied upon, the United States must exercise such control as will enable this country to protect its national interests and maintain the rights of those whose private capital is embarked in the work.

"An interoceanic canal across the American isthmus will essentially change the geographical relations between the Atlantic and Pacific coasts of the United States, and between the United States and the rest of the world. It will be the great ocean thoroughfare between our Atlantic and our Pacific shores, and virtually a part of the coast-line of the United States. Our merely commercial interest in it is greater than that of all other countries, while its relations to our power and prosperity as a nation, to our means of defense, our unity, peace, and safety, are matters of paramount concern to the people of the United States. No other great power would, under similar circumstances, fail to assert a rightful control over a work so closely and vitally affecting its interest and welfare."

In accordance with the early and later policy of the government, in obedience to the often-expressed will of the American

people, with a due regard to our national dignity and power, with a watchful care for the safety and prosperity of our interests and industries on this continent, and with a determination to guard against even the first approach of rival powers, whether friendly or hostile, on these shores, I commend an American canal, on American soil, to the American people, and congratulate myself on the fact that the most careful explorations have demonstrated that the route standing in this attitude before the world is the one which commends itself as a judicious, economical, and prosperous work.

I have formed the opinions expressed in this article, not from a hasty consideration of the subject, and not without personal observation. While commanding the army of the United States, my attention was drawn to the importance of the water communication I have here discussed. During my administration of the government, I endeavored to impress upon the country the views I then formed; and I shall feel that I have added one more act of my life to those I have already recorded, if I shall succeed in impressing upon Congress and the people the high value, as a commercial and industrial enterprise, of this great work, which, if not accomplished by Americans, will undoubtedly be accomplished by some one of our rivals in power and influence.

U. S. GRANT.

THE PULPIT AND THE PEW.

THE priest is dead for the Protestant world. Luther's inkstand did not kill the devil, but it killed *him*, at least for us. He is a loss in many respects to be regretted. He kept alive the spirit of reverence. He was looked up to as possessing qualities superhuman in their nature, and so was competent to be the stay of the weak and their defense against the strong. If one end of religion is to make men happier in this world as well as in the next, mankind lost a great source of happiness when the priest was reduced to the common level of humanity, and became only a minister. Priest, which was *presbyter*, corresponded to senator, and was a title to respect and honor. Minister is but the diminutive of *magister*, and implies an obligation to render service.

It was promised to the first preachers that in proof of their divine mission they should have the power of casting out devils and talking in strange tongues; that they should handle serpents and drink poisons with impunity; that they should lay hands on the sick and they should recover. The Roman Church claims some of these powers for its clergy and its sacred objects to this day. Miracles, it is professed, are wrought by them, or through them, as in the days of the apostles. Protestantism proclaims that the age of such occurrences as the apostles witnessed is past. What does it know about miracles? It knows a great many *records* of miracles, but this is a different kind of knowledge.

The minister may be revered for his character, followed for his eloquence, admired for his learning, loved for his amiable qualities, but he can never be what the priest was in past ages, and is still, in the Roman Church. Dr. Arnold's definition may be found fault with, but it has a very real meaning. "The essential point in the notion of a priest is this: that he is a person made necessary to our intercourse with God, without being

necessary or beneficial to us morally,—an unreasonable, unmoral, spiritual necessity." He did not mean, of course, that the priest might not have all the qualities which would recommend him as a teacher or as a man, but that he had a special power, quite independent of his personal character, which could act, as it were, mechanically; that out of him went a virtue, as from the hem of his Master's raiment, to those with whom his sacred office brought him in contact.

It was a great comfort to poor helpless human beings to have a tangible personality of like nature with themselves as a mediator between them and the heavenly powers. Sympathy can do much for the sorrowing, the suffering, the dying, but to hear God himself speaking directly through human lips, to feel the touch of a hand which is the channel of communication with the unseen Omnipotent, this was and is the privilege of those who looked or look up to a priesthood. It has been said, and those who have walked the hospitals or served in the dispensaries can bear witness to the truth of the assertion, that the Roman Catholics know how to die. The same thing is less confidently to be said of Protestants. How frequently is the story told of the most exemplary Protestant Christians, nay, how common is it to read in the lives of the most exemplary Protestant ministers, that they were beset with doubts and terrors in their last days! The blessing of the *viaticum* is unknown to them. Man is essentially an idolater,—that is, in bondage to his imagination,—for there is no more harm in the Greek word *eidolon* than in the Latin word *imago*. He wants a visible image to fix his thought, a scarabee or a *crux ansata*, or the modern symbols which are to our own time what these were to the ancient Egyptians. He wants a vicegerent of the Almighty to take his dying hand and bid him godspeed on his last journey. Who but such an immediate representative of the Divinity would have dared to say to the monarch just laying his head on the block, "*Fils de Saint Louis, monte au ciel*"?

It has been a long and gradual process to thoroughly republicanize the American Protestant descendant of the ancient priesthood. The history of the Congregationalists in New England would show us how this change has gone on, until we have seen the church become a hall open to all sorts of purposes, the pulpit come down to the level of the rostrum, and the clergyman take on the character of a popular lecturer who deals with every kind of subject, including religion.

Whatever fault we may find with many of their beliefs, we have a right to be proud of our pilgrim and puritan fathers among the clergy. They were ready to do and to suffer anything for their faith, and a faith which breeds heroes is better than an unbelief which leaves nothing worth being a hero for. Only let us be fair, and not defend the creed of Mohammed because it nurtured brave men and enlightened scholars, or refrain from condemning polygamy in our admiration of the indomitable spirit and perseverance of the pilgrim fathers of Mormonism, or justify an inhuman belief, or a cruel or foolish superstition, because it was once held or acquiesced in by men whose nobility of character we heartily recognize. The New England clergy can look back to a noble record, but the pulpit has sometimes required a homily from the pew, and may sometimes find it worth its while to listen to one even in our own days.

From the settlement of the country to the present time, the ministers have furnished the highest type of character to the people among whom they have lived. They have lost to a considerable extent the position of leaders, but if they are in our times rather to be looked upon as representatives of their congregations, they represent what is best among those of whom they are the speaking organ. We have a right to expect them to be models as well as teachers of all that makes the best citizens for this world and the next, and they have not been, and are not in these later days, unworthy of their high calling. They have worked hard for small earthly compensation. They have been the most learned men the country had to show, when learning was a scarce commodity. Called by their consciences to self-denying labors, living simply, often half-supported by the toil of their own hands, they have let the light, such light as shone for them, into the minds of our communities as the settler's ax let the sunshine into their log-huts and farm-houses.

Their work has not been confined to their professional duties, as a few instances will illustrate. Often, as was just said, they toiled like day-laborers, teasing lean harvests out of their small inclosures of land,—for the New England soil is not one that "laughs when tickled with a hoe," but rather one that sulks when appealed to with that persuasive implement. The father of the eminent Boston physician whose recent loss is so deeply regretted, the Reverend Pitt Clarke, forty-two years pastor of the small fold in the town of Norton, Massachusetts, was a typical

example of this union of the two callings, and it would be hard to find a story of a more wholesome and useful life, within a limited and isolated circle, than that which the pious care of one of his children commemorated. Sometimes the New England minister, like worthy Mr. Ward, of Stratford-on-Avon, in old England, joined the practice of medicine to the offices of his holy profession. Michael Wigglesworth, the poet of "The Day of Doom," and Charles Chauncy, the second president of Harvard College, were instances of this twofold service. In politics their influence has always been felt, and in many cases their drums ecclesiastic have beaten the reveillé as vigorously, and to as good purpose, as it ever sounded in the slumbering camp. Samuel Cooper sat in council with the leaders of the Revolution in Boston. The three Northampton-born brothers Allen, Thomas, Moses, and Solomon, lifted their voices, and, when needed, their armed hands, in the cause of liberty. In later days, Elijah Parish and David Osgood carried politics into their pulpits as boldly as their antislavery successors have done in times still more recent.

The learning, the personal character, the sacredness of their office, tended to give the New England clergy of past generations a kind of aristocratic dignity, a personal grandeur, much more felt in the days when class distinctions were recognized less unwillingly than at present. Their costume added to the effect of their bodily presence, as the old portraits illustrate for us, as those of us who remember the last of the "fair, white, curly" wigs, as it graced the imposing figure of the Reverend Dr. Marsh, of Wethersfield, Connecticut, can testify. They were not only learned in the history of the past, but they were the interpreters of prophecy, and announced coming events with a confidence equal to that with which the weather-bureau warns us of a coming storm. The numbers of the book of Daniel and the visions of the Revelation were not too hard for them. In the commonplace book of the Reverend Joel Benedict is to be found the following record, made, as it appears, about the year 1773: "Conversing with Dr. Bellamy upon the downfall of Antichrist, after many things had been said upon the subject, the Doctor began to warm, and uttered himself after this manner: 'Tell your children to tell their children that in the year 1866 something notable will happen in the church; tell them the old man says so.'"

"The old man" came pretty near hitting the mark, as we shall see if we consider what took place in the decade from 1860 to 1870. In 1864, the Pope issued the "Syllabus of Errors," which "must be considered by Romanists as an infallible official document, and which arrays the papacy in open war against modern civilization and civil and religious freedom." The Vatican Council in 1870 declared the Pope to be the bishop of bishops, and immediately after this began the decisive movement of the party known as the "Old Catholics." In the exact year looked forward to by the New England prophet, 1866, the evacuation of Rome by the French and the publication of "Ecce Homo" appear to be the most remarkable events having special relation to the religious world. Perhaps the National Council of the Congregationalists, held at Boston in 1865, may be reckoned as one of the occurrences which the oracle just missed.

The confidence, if not the spirit of prophecy, lasted down to a later period. "In half a century," said the venerable Dr. Porter, of Conway, New Hampshire, in 1822, "there will be no Pagans, Jews, Mohammedans, Unitarians, or Methodists." The half-century has more than elapsed, and the prediction seems to stand in need of an extension, like many other prophetic utterances.

The story is told of David Osgood, the shaggy-browed old minister of Medford, that he had expressed his belief that not more than one soul in two thousand would be saved. Seeing a knot of his parishioners in debate, he asked them what they were discussing, and was told that they were questioning which of the Medford people was the elected one, the population being just two thousand, and that opinion was divided whether it would be the minister or one of his deacons. The story may or may not be literally true, but it illustrates the popular belief of those days, that the clergyman saw a good deal farther into the councils of the Almighty than his successors would claim the power of doing.

The objects about me, as I am writing, call to mind the varied accomplishments of some of the New England clergy. The face of the Revolutionary preacher, Samuel Cooper, as Copley painted it, looks upon me with the pleasantest of smiles and a liveliness of expression which makes him seem a contemporary after a hundred years experience of eternity. The Plato on this lower shelf bears the inscription: "*Ezræ Stiles*, 1766. *Olim è libris Rev. Jaredis Eliot de Killingworth.*" Both were noted scholars and philosophers. The hand-lens before me was imported, with

other philosophical instruments, by the Reverend John Prince, of Salem, an earlier student of science in the town since distinguished by the labors of the Essex Institute. Jeremy Belknap holds an honored place in that unpretending row of local historians. And in the pages of his "History of New Hampshire" may be found a chapter contributed in part by the most remarkable man, in many respects, among all the older clergymen—preacher, lawyer, physician, astronomer, botanist, entomologist, explorer, colonist, legislator in State and national governments, and only not seated on the bench of the supreme court of a territory because he declined the office when Washington offered it to him. This manifold individual was the minister of Hamilton, a pleasant little town in Essex County, Massachusetts,—the Reverend Manasseh Cutler. These reminiscences from surrounding objects came up unexpectedly, of themselves, and have a right here, as showing how wide is the range of intelligence in the clerical body thus accidentally represented in a single library making no special pretensions.

It is not so exalted a claim to make for them, but it may be added that they were often the wits and humorists of their localities. Mather Byles's facetiæ are among the colonial classic reminiscences. But these were, for the most part, verbal quips and quibbles. True humor is an outgrowth of character. It is never found in greater perfection than in old clergymen and old college professors. Dr. Sprague's "Annals of the American Pulpit" tells many stories of our old ministers as good as Dean Ramsay's "Scottish Reminiscences." He has not recorded the following, which is to be found in Miss Larned's excellent and most interesting history of Windham County, Connecticut. The Reverend Josiah Dwight was the minister of Woodstock, Connecticut, about the year 1700. He was not old, it is true, but he must have caught the ways of the old ministers. The "sensational" pulpit of our own time could hardly surpass him in the drollery of its expressions. A specimen or two may dispose the reader to turn over the pages which follow in a good-natured frame of mind. "If unconverted men ever got to heaven," he said, "they would feel as uneasy as a shad up the crotch of a white-oak." Some of his ministerial associates took offense at his eccentricities, and called on a visit of admonition to the offending clergyman. "Mr. Dwight received these reproofs with great meekness, frankly acknowledged his faults, and promised

amendment, but, in prayer at parting, after returning thanks for the brotherly visit and admonition, 'hoped that they might so hitch their horses on earth that they should never kick in the stables of everlasting salvation.'"

It is a good thing to have some of the blood of one of these old ministers in one's veins. An English bishop proclaimed the fact before an assembly of physicians the other day that he was not ashamed to say that he had a son who was a doctor. Very kind that was in the bishop, and very proud his medical audience must have felt. Perhaps he was not ashamed of the gospel of Luke, "the beloved physician," or even of the teachings which came from the lips of one who was a carpenter, and the son of a carpenter. So a New-Englander, even if he were a bishop, need not be ashamed to say that he consented to have an ancestor who was a minister. On the contrary, he has a right to be grateful for a probable inheritance of good instincts, a good name, and a bringing up in a library where he bumped about among books from the time when he was hardly taller than one of his father's or grandfather's folios. What are the names of ministers' sons which most readily occur to our memory as illustrating these advantages? Edward Everett, Joseph Stevens Buckminster, Ralph Waldo Emerson, George Bancroft, Richard Hildreth, James Russell Lowell, Francis Parkman, Charles Eliot Norton, were all ministers' boys. John Lothrop Motley was the grandson of the clergyman after whom he was named. George Ticknor was next door to such a descent, for his father was a deacon. This is a group which it did not take a long or a wide search to bring together.

Men such as the ministers who have been described could not fail to exercise a good deal of authority in the communities to which they belonged. The effect of the Revolution must have been to create a tendency to rebel against spiritual dictation. Republicanism levels in religion as in everything. It might have been expected, therefore, that soon after civil liberty had been established there would be conflicts between the traditional authority of the minister and the claims of the now free and independent congregation. So it was, in fact, as for instance in the case which follows, for which the reader is indebted to Miss Larned's book, before cited:

The ministerial veto allowed by the Saybrook Platform gave rise, in the year 1792, to a fierce conflict in the town of Pomfret,

Connecticut. Zephaniah Swift, a lawyer of Windham, came out in the Windham "Herald," in all the vehemence of partisan phraseology, with all the emphasis of italics and small capitals. Was it not time, he said, for people to look about them and see whether "such *despotism* was founded in *Scripture, in reason, in policy, or on the rights of man!* A minister, by his *vote*, by his *single voice*, may negative the unanimous vote of the *church!* Are ministers composed of *finer clay* than the rest of mankind, that entitles them to this preëminence? Does a license to preach transform a man into a higher order of beings and endow him with a natural quality to govern? Are the laity an inferior order of beings, fit only to be *slaves* and to be *governed?* Is it good policy for mankind to subject themselves to *such degrading vassalage and abject submission?* Reason, common sense, and the Bible, with united voice, proclaim to all mankind that they are all born *free and equal;* that every member of a church or Christian congregation must be on the same footing in respect of church government, and that the CONSTITUTION, which delegates to *one* the power to negative the vote of all the rest, IS SUBVERSIVE OF THE NATURAL RIGHT OF MANKIND AND REPUGNANT TO THE WORD OF GOD."

The Reverend Mr. Welch replied to the lawyer's attack, pronouncing him to be "destitute of delicacy, decency, good manners, sound judgment, honesty, manhood, and humanity; a poltroon, a cat's-paw, the infamous tool of a party, a partisan, a political weather-cock, and a ragamuffin."

No Fourth-of-July orator would in our day rant like the lawyer, and no clergyman would use such language as that of the Reverend Moses Welch. The clergy have been pretty well republicanized within the last two or three generations, and are not likely to provoke quarrels by assertion of their special dignities or privileges. The public is better bred than to carry on an ecclesiastical controversy in terms which political brawlers would hardly think admissible. The minister of religion is generally treated with something more than respect; he is allowed to say undisputed what would be sharply controverted in anybody else. Bishop Gilbert Haven, of happy memory, had been discussing a religious subject with a friend who was not convinced by his arguments. "Wait till you hear me from the pulpit," he said; "there you cannot answer me." The preacher—if I may use an image which would hardly have suggested itself to him—has

his hearer's head in chancery, and can administer punishment *ad libitum*. False facts, false reasoning, bad rhetoric, bad grammar, stale images, borrowed passages, if not borrowed sermons, are listened to without a word of comment or a look of disapprobation.

One of the ablest and most conscientiously laborious of our clergymen has ventured to question in these pages whether all his professional brethren invariably gave utterance to their sincerest beliefs, and has been sharply criticised for so doing. The layman, who sits silent in his pew, has his rights when out of it, and among them is the right of questioning that which has been addressed to him from the privileged eminence of the pulpit, or in any way sanctioned by his religious teacher. It is nearly two hundred years since a Boston layman wrote these words: "I am not ignorant that the pious frauds of the ancient, and the inbred fire (I do not call it pride) of many of our modern divines, have precipitated them to propagate and maintain truth as well as falsehoods, in such an unfair manner as has given advantage to the enemy to suspect the whole doctrine these men have profest to be nothing but a mere trick."

So wrote Robert Calef, the Boston merchant, whose book the Reverend Increase Mather, president of Harvard College, burned publicly in the college yard. But the pity of it is that the layman had not cried out earlier and louder, and saved the community from the horror of those judicial murders for witchcraft, the blame of which was so largely attributable to the clergy.

Perhaps no laymen have given the clergy more trouble than the doctors. The old reproach against physicians, that where there were three of them together there were two atheists, had a real significance, but not that which was intended by the sharp-tongued ecclesiastic who first uttered it. Undoubtedly there is a strong tendency in the pursuits of the medical profession to produce disbelief in that figment of tradition and diseased human imagination which has been installed in the seat of divinity by the priesthood of cruel and ignorant ages. It is impossible, or, at least, very difficult, for a physician who has seen the perpetual efforts of Nature—whose diary is the book he reads oftenest—to heal wounds, to expel poisons, to do the best that can be done under the given conditions,—it is very difficult for him to believe in a world where wounds cannot heal, where opiates cannot give a respite from pain, where sleep never comes with its

sweet oblivion of suffering, where the art of torture is the only science cultivated, and the capacity for being tormented is the only faculty which remains to the children of that same Father who cares for the falling sparrow. The Deity has often been pictured as Moloch, and the physician has, no doubt, frequently repudiated him as a monstrosity.

On the other hand, the physician has often been renowned for piety as well as for his peculiarly professional virtue of charity,—led upward by what he sees to the source of all the daily marvels wrought before his own eyes. So it was that Galen gave utterance to that psalm of praise which the sweet singer of Israel need not have been ashamed of; and if this "heathen" could be lifted into such a strain of devotion, we need not be surprised to find so many devout Christian worshipers among the crowd of medical "atheists."

No two professions should come into such intimate and cordial relations as those to which belong the healers of the body and the healers of the mind. There can be no more fatal mistake than that which brings them into hostile attitudes with reference to each other, both having in view the welfare of their fellow-creatures. But there is a territory always liable to be differed about between them. There are patients who never tell their physician the grief which lies at the bottom of their ailments. He goes through his accustomed routine with them, and thinks he has all the elements needed for his diagnosis. But he has seen no deeper into the breast than the tongue, and got no nearer the heart than the wrist. A wise and experienced clergyman, coming to the patient's bedside,—not with the professional look on his face which suggests the undertaker and the sexton, but with a serene countenance and a sympathetic voice, with tact, with patience, waiting for the right moment,—will surprise the shy spirit into a confession of the doubt, the sorrow, the shame, the remorse, the terror which underlies all the bodily symptoms, and the unburdening of which into a loving and pitying soul is a more potent anodyne than all the drowsy sirups of the East. And, on the other hand, there are many nervous and over-sensitive natures which have been wrought up by self-torturing spiritual exercises until their best confessor would be a sagacious and wholesome-minded physician.

Suppose a person to have become so excited by religious stimulants that he is subject to what are known to the records of

insanity as hallucinations: that he hears voices whispering blasphemy in his ears, and sees devils coming to meet him, and thinks he is going to be torn in pieces, or trodden into the mire. Suppose that his mental conflicts, after plunging him into the depths of despondency, at last reduce him to a state of *despair*, so that he now contemplates taking his own life, and debates with himself whether it shall be by knife, halter, or poison, and after much questioning is apparently making up his mind to commit suicide. Is not this a manifest case of insanity, in the form known as *melancholia?* Would not any prudent physician keep such a person under the eye of constant watchers, as in a dangerous state of, at least, partial mental alienation? Yet this is an exact transcript of the mental condition of "Christian" in "Pilgrim's Progress," and its counterpart has been found in thousands of wretched lives terminated by the act of self-destruction, which was so nearly taking place in the hero of the allegory. Now the wonderful book from which this example is taken is, next to the Bible and the Treatise of Thomas à Kempis, the best-known religious work of Christendom. If Bunyan and his contemporary, Sydenham, had met in consultation over the case of "Christian" at the time when he was meditating self-murder, it is very possible that there might have been a difference of judgment. The physician would have one advantage in such a consultation. He would pretty certainly have received a Christian education, while the clergyman would probably know next to nothing of the laws or manifestations of mental or bodily disease. It does not seem as if any theological student was really prepared for his practical duties until he had learned something of the effects of bodily derangements, and, above all, had become familiar with the gamut of mental discord in the wards of an insane asylum.

It is a very thoughtless thing to say that the physician stands to the divine in the same light as the divine stands to the physician, so far as each may attempt to handle subjects belonging especially to the other's profession. Many physicians know a great deal more about religious matters than they do about medicine. They have read the Bible ten times as much as they ever read any medical author. They have heard scores of sermons for one medical lecture to which they have listened. They often hear much better preaching than the average minister, for he hears himself chiefly, and they hear abler men and a variety of them. They have now and then been distinguished in theology

as well as in their own profession. The name of Servetus might call up unpleasant recollections, but that of another medical practitioner may be safely mentioned. "It was not till the middle of the last century that the question as to the authorship of the Pentateuch was handled with anything like a discerning criticism. The first attempt was made by a layman, whose studies we might have supposed would scarcely have led him to such an investigation." This layman was "Astruc, doctor and professor of medicine in the Royal College at Paris, and court physician to Louis XIV." The quotation is from the article "Pentateuch" in Smith's "Dictionary of the Bible," which, of course, lies on the table of the least instructed clergyman. The sacred profession has, it is true, returned the favor by giving the practitioner of medicine Bishop Berkeley's "Treatise on Tar-water," and the invaluable prescription of that "aged clergyman whose sands of life"—but let us be fair, if not generous, and remember that Cotton Mather shares with Zabdiel Boylston the credit of introducing the practice of inoculation into America. The professions should be cordial allies, but the church-going, Bible-reading physician ought to know a great deal more of the subjects included under the general name of theology than the clergyman can be expected to know of medicine. To say, as has been said not long since, that a young divinity-student is as competent to deal with the latter as an old physician is to meddle with the former, suggests the idea that wisdom is not an heirloom in the family of the one who says it. What a set of idiots our clerical teachers must have been and be, if, after a quarter or half a century of their instruction, a person of fair intelligence is utterly incompetent to form any opinion about the subjects which they have been teaching, or trying to teach him, so long!

A minister must find it very hard work to preach to hearers who do not believe, or only half believe, what he preaches. But pews without heads in them are a still more depressing spectacle. He may convince the doubter and reform the profligate. But he cannot produce any change on pine and mahogany by his discourses, and the more wood he sees as he looks along his floor and galleries, the less his chance of being useful. It is natural that in times like the present changes of faith and of place of worship should be far from infrequent. It is not less natural that there should be regrets on one side and gratification on the other, when such changes occur. It even happens occasionally

that the regrets become aggravated into reproaches—rarely from the side which receives the new accessions, less rarely from the one which is left. It is quite conceivable that the Roman Church, which considers itself the only true one, should look on those who leave its communion as guilty of a great offense. It is equally natural that a church which considers Pope and Pagan a pair of murderous giants, sitting at the mouth of their caves, alike in their hatred to true Christians, should regard any of its members who go over to Romanism as lost in fatal error. But within the Protestant fold there are many compartments, and it would seem that it is not a deadly defection to pass from one to another.

So far from such exchanges between sects being wrong, they ought to happen a great deal oftener than they do. All the larger bodies of Christians should be constantly exchanging members. All men are born with conservative or aggressive tendencies: they belong naturally with the idol-worshipers or the idol-breakers. Some wear their fathers' old clothes, and some will have a new suit. One class of men must have their faith hammered in like a nail, by authority; another class must have it worked in like a screw, by argument. Members of one of these classes often find themselves fixed by circumstances in the other. The late Mr. Orestes A. Brownson used to preach at one time to a little handful of persons, in a small upper room, where some of them got from him their first lesson about the substitution of reverence for idolatry, in dealing with the books they hold sacred. But after a time Mr. Brownson found he had mistaken his church, and went over to the Roman Catholic establishment, of which he became and remained to his dying day one of the most stalwart champions. Nature is prolific and ambidextrous. While this strong convert was trying to carry us back to the ancient faith, another of her sturdy children, Theodore Parker, was trying just as hard to provide a new church for the future. One was driving the sheep into the ancient fold, while the other was taking down the bars that kept them out of the new pasture. Neither of these powerful men could do the other's work, and each had to find the task for which he was destined.

The "old gospel ship," as the Methodist song calls it, carries many who would steer by the wake of their vessel. But there are many others who do not trouble themselves to look over the stern, having their eyes fixed on the light-house in the distance

before them. In less figurative language, there are multitudes of persons who are perfectly contented with the old formulæ of the church with which they and their fathers before them have been and are connected, for the simple reason that they fit, like old shoes, because they have been worn so long, and mingled with these, in the most conservative religious body, are here and there those who are restless in the fetters of a confession of faith to which they have pledged themselves without believing in it. This has been true of the Athanasian creed, in the Anglican Church, for two centuries more or less, unless the Archbishop of Canterbury, Tenison, stood alone in wishing the church were well rid of it. In fact, it has happened to the present writer to hear the Thirty-nine Articles summarily disposed of by one of the most zealous members of the American branch of that communion, in a verb of one syllable, more familiar to the ears of the forecastle than to those of the vestry.

But, on the other hand, it is far from uncommon to meet with persons among the so-called "liberal" denominations who are uneasy for want of a more definite ritual and a more formal organization than they find in their own body. Now, the rector or the minister must be well aware that there are such cases, and each of them must be aware that there are individuals under his guidance whom he cannot satisfy by argument, and who really belong by all their instincts to another communion. It seems as if a thoroughly honest, straight-collared clergyman would say frankly to his restless parishioner: "You do not believe the central doctrines of the church which you are in the habit of attending. You belong properly to Brother A's or Brother B's fold, and it will be more manly and probably more profitable for you to go there than to stay with us." And, again, the rolling-collared clergyman might be expected to say to this or that uneasy listener: "You are longing for a church which will settle your beliefs for you, and relieve you to a great extent from the task, to which you seem to be unequal, of working out your own salvation with fear and trembling. Go over the way to Brother C's or Brother D's; your spine is weak, and they will furnish you a back-board which will keep you straight and make you comfortable." Patients are not the property of their physicians, nor parishioners of their ministers.

As for the children of clergymen, the presumption is that they will adhere to the general belief professed by their fathers. But

they do not lose their birthright or their individuality, and have the world all before them to choose their creed from, like other persons. They are sometimes called to account for attacking the dogmas they are supposed to have heard preached from their childhood. They cannot defend themselves, for various good reasons. If they did, one would have to say he got more preaching than was good for him, and came at last to feel about sermons and their doctrines as confectioners' children do about candy. Another would have to own that he got his religious belief, not from his father, but from his mother. That would account for a great deal, for the milk in a woman's veins sweetens, or, at least, dilutes an acrid doctrine, as the blood of the motherly cow softens the virulence of small-pox, so that its mark survives only as the seal of immunity. Another would plead atavism, and say he got his religious instincts from his great-grandfather, as some do their complexion or their temper. Others would be compelled to confess that the belief of a wife or a sister had displaced that which they naturally inherited. No man can be expected to go thus into the details of his family history, and, therefore, it is an ill-bred and indecent thing to fling a man's father's creed in his face, as if he had broken the fifth commandment in thinking for himself in the light of a new generation. Common delicacy would prevent him from saying that he did not get his faith from his father, but from somebody else, perhaps from his grandmother Lois and his mother Eunice, like the young man whom the Apostle cautioned against total abstinence.

It is always the right, and may sometimes be the duty, of the layman to call the attention of the clergy to the short-comings and errors, not only of their own time, but also of the preceding generations, of which they are the intellectual and moral product. This is especially true when the authority of great names is fallen back upon as a defense of opinions not in themselves deserving to be upheld. It may be very important to show that the champions of this or that set of dogmas, some of which are extinct or obsolete as beliefs, while others retain their vitality, held certain general notions which vitiated their conclusions. And in proportion to the eminence of such champions, and the frequency with which their names are appealed to as a bulwark of any particular creed or set of doctrines, is it urgent to show into what obliquities or extravagances or contradictions of thought they have been betrayed.

In summing up the religious history of New England, it would be just and proper to show the agency of the Mathers, father and son, in the witchcraft delusion. It would be quite fair to plead in their behalf the common beliefs of their time. It would be an extenuation of their acts that, not many years before, the great and good magistrate, Sir Matthew Hale, had sanctioned the conviction of prisoners accused of witchcraft. To fall back on the errors of the time is very proper when we are trying our predecessors *in foro conscientiæ*. The houses they dwelt in may have had some weak or decayed beams and rafters, but they served for their shelter, at any rate. It is quite another matter when those rotten timbers are used in holding up the roofs over our own heads. Still more, if one of our ancestors built on an unsafe or an unwholesome foundation, the best thing we can do is to leave it and persuade others to leave it if we can. And if we refer to him as a precedent, it must be as a warning and not as a guide.

Such was the reason of the present writer's taking up the writings of Jonathan Edwards for examination in a recent essay. The "Edwardsian" theology is still recognized as a power in and beyond the denomination to which he belonged. One or more churches bear his name, and it is thrown into the scale of theological belief as if it added great strength to the party which claims him. That he was a man of extraordinary endowments and deep spiritual nature was not questioned, nor that he was a most acute reasoner who could unfold a proposition into its consequences as patiently, as convincingly, as a palæontologist extorts its confession from a fossil fragment. But it was maintained that so many dehumanizing ideas were mixed up with his conceptions of man, and so many diabolizing attributes embodied in his imagination of the Deity, that his system of beliefs was tainted throughout by them, and that the fact of his being so remarkable a logician recoiled on the premises which pointed his inexorable syllogisms to such revolting conclusions. When he presents us a God, in whose sight children, with certain not too frequent exceptions, "are young vipers, and are infinitely more hateful than vipers"; when he gives the most frightful detailed description of infinite and endless tortures which it drives men and women mad to think of prepared for "the bulk of mankind"; when he cruelly pictures a future in which parents are to sing hallelujahs of praise as they see their children driven into the furnace, where they are

to lie "roasting" forever,—we have a right to say that the man who held such beliefs and indulged in such imaginations and expressions, is a burden and not a support in reference to the creed with which his name is associated. What heathenism has ever approached the horrors of this conception of human destiny? It is not an abuse of language to apply to such a system of beliefs the name of *Christian pessimism.*

If these and similar doctrines are so generally discredited as some appear to think, we might expect to see the change showing itself in catechisms and confessions of faith, to hear the joyful news of relief from its horrors in all our churches, and no longer to read in the newspapers of ministers rejected or put on trial for heresy because they could not accept the most dreadful of these doctrines. Whether this be so or not, it must be owned that the name of Jonathan Edwards does at this day carry a certain authority with it for many persons, so that anything he believed gains for them some degree of probability from that circumstance. It would, therefore, be of much interest to know whether he was trustworthy in his theological speculations, and whether he ever changed his belief with reference to any of the great questions above alluded to.

Some of our readers may remember a story which got abroad many years ago that a certain M. Babinet, a scientific Frenchman of note, had predicted a serious accident soon to occur to the planet on which we live by the collision with it of a great comet then approaching us, or some such occurrence. There is no doubt that this prediction produced anxiety and alarm in many timid persons. It became a very interesting question with them who this M. Babinet might be. Was he a sound observer, who had made other observations and predictions which had proved accurate? Or was he one of those men who are always making blunders for other people to correct? Is he known to have changed his opinion as to the approaching disastrous event?

So long as there were any persons made anxious by this prediction, so long as there was even one who believed that he, and his family, and his nation, and his race, and the home of mankind, with all its monuments, were very soon to be smitten in mid-heaven and instantly shivered into fragments, it was very desirable to find any evidence that this prophet of evil was a man who held many extravagant and even monstrous opinions.

Still more satisfactory would it be if it could be shown that he had reconsidered his predictions, and declared that he could not abide by his former alarming conclusions. And we should think very ill of any astronomer who would not rejoice for the sake of his fellow-creatures, if not for his own, to find the threatening presage invalidated in either or both of the ways just mentioned, even though he had committed himself to M. Babinet's dire belief.

But what is the trivial, temporal accident of the wiping out of a planet and its inhabitants to the infinite catastrophe which shall establish a mighty world of eternal despair? And which is it most desirable for mankind to have disproved or weakened, the grounds of the threat of M. Babinet, or those of the other infinitely more terrible comminations, so far as they rest on the authority of Jonathan Edwards?

The writer of this paper had been long engaged in the study of the writings of Edwards, with reference to the essay he had in contemplation, when, on speaking of the subject to a very distinguished orthodox divine, this gentleman mentioned the existence of a manuscript of Edwards which had been held back from the public on account of some opinions or tendencies it contained, or was suspected of containing. "High Arianism" was the exact expression he used with reference to it. On relating this fact to an illustrious man of science, whose name is best known to botanists, but is justly held in great honor by the orthodox body to which he belongs, it appeared that he, too, had heard of such a manuscript, and the questionable doctrine associated with it in his memory was Sabellianism. It was of course proper in the writer of an essay on Jonathan Edwards to mention the alleged existence of such a manuscript, with reference to which the same caution seemed to have been exercised as that which led the editor of his collected works to suppress the language Edwards had used about children.

This mention led to a friendly correspondence between the writer and one of the professors in the theological school at Andover, and finally to the publication of a brief essay, which, for some reason, had been withheld from publication for more than a century. Its title is "Observations concerning the Scripture Œconomy of the Trinity and Covenant of Redemption. By Jonathan Edwards." It contains thirty-six pages and a half, each small page having about two hundred words. The pages before

the reader will be found to average about four hundred and twenty-five words. An introduction and an appendix by the editor, Professor Egbert C. Smyth, swell the contents to nearly a hundred pages, but these additions, and the circumstance that it is bound in boards, must not lead us to overlook the fact that the little volume is nothing more than a pamphlet in book's clothing.

A most extraordinary performance it certainly is, dealing with the arrangements entered into by the three persons of the Trinity, in as bald and matter-of-fact language and as commercial a spirit as if the author had been handling the adjustment of a limited partnership between three retail tradesmen. But, lest a layman's judgment might be considered insufficient, the treatise was submitted by the writer to one of the most learned of our theological experts,—the same who once informed a church dignitary, who had been attempting to define his theological position, that he was a Eutychian,—a fact which he seems to have been no more aware of than M. Jourdain was conscious that he had been speaking prose all his life. The treatise appeared to this professor anti-trinitarian, not in the direction of Unitarianism, however, but of Tritheism. Its anthropomorphism affected him like blasphemy, and the paper produced in him the sense of "great disgust," which its whole character might well excite in the unlearned reader.

All this is, however, of little importance, for this is not the work of Edwards referred to by the present writer in his previous essay. The tract recently printed as a volume may be the one referred to by Dr. Bushnell, in 1851, but of this reference by him the writer never heard until after his own essay was already printed. The manuscript of the "Observations" was received by Professor Smyth, as he tells us in his introduction, about fifteen years ago, from the late Reverend William T. Dwight, D. D., to whom it was bequeathed by his brother, the Reverend Dr. Sereno E. Dwight.

But the reference of the present writer was to another production of the great logician, thus spoken of in a quotation from "the accomplished editor of the Hartford 'Courant,'" to be found in Professor Smyth's introduction:

"It has long been a matter of private information that Professor Edwards A. Park, of Andover, had in his possession an unpublished manuscript of Edwards of considerable extent, perhaps two-thirds as long as his treatise on

the will. As few have ever seen the manuscript, its contents are only known by vague reports. . . . It is said that it contains a departure from his published views on the Trinity and a modification of the view of original sin. One account of it says that the manuscript leans toward Sabellianism, and that it even approaches Pelagianism."

It was to this "suppressed" manuscript the present writer referred, and not to the slender brochure recently given to the public. It is necessary, therefore, to say plainly that to satisfy inquirers who may be still in doubt with reference to Edwards's theological views, it would be necessary to submit this manuscript, and all manuscripts of his which have been kept private, to their inspection, in print, if possible, so that all could form their own opinion about it or them.

The whole matter may be briefly stated thus: Edwards believed in an eternity of unimaginable horrors for "the bulk of mankind." His authority counts with many in favor of that belief, which affects great numbers as the idea of ghosts affected Madame de Staël: "*Je n'y crois pas, mais je les crains.*" This belief is one which it is infinitely desirable to the human race should be shown to be possibly, probably, or certainly erroneous. It is, therefore, desirable in the interest of humanity that any force the argument in its favor may derive from Edwards's authority should be weakened by showing that he was capable of writing most unwisely, and if it should be proved that he changed his opinions, or ran into any "heretical" vagaries, by using these facts against the validity of his judgment. That he was capable of writing most unwisely has been sufficiently shown by the recent publication of his "Observations." Whether he anywhere contradicted what were generally accepted as his theological opinions, or how far he may have lapsed into heresies, the public will never rest satisfied until it sees and interprets for itself everything that is open to question which may be contained in his yet unpublished manuscripts. All this is not in the least a personal affair with the writer, who, in the course of his studies of Edwards's works, accidentally heard, from the unimpeachable sources sufficiently indicated, the reports, which it seems must have been familiar to many, that there was unpublished matter bearing on the opinions of the author through whose voluminous works he had been toiling. And if he rejoiced even to hope that so wise a man as Edwards has been considered, so good a man as he is recognized to have been, had, possibly in his changes of opinion, ceased to think of children as vipers, and of parents as shouting

hallelujahs while their lost darlings were being driven into the flames, where is the theologian who would not rejoice to hope so with him, or who would be willing to tell his wife or his daughter that he did not?

The real, vital division of the religious part of our Protestant communities is into Christian optimists and Christian pessimists. The Christian optimist in his fullest development is characterized by a cheerful countenance, a voice in the major key, an undisguised enjoyment of earthly comforts, and a short confession of faith. His theory of the universe is progress; his idea of God is that he is a Father with all the true paternal attributes, of man that he is destined to come into harmony with the key-note of divine order, of this earth that it is a training-school for a better sphere of existence. The Christian pessimist in his most typical manifestation is apt to wear a solemn aspect, to speak, especially from the pulpit, in the minor key, to undervalue the lesser enjoyments of life, to insist on a more extended list of articles of belief. His theory of the universe recognizes this corner of it as a moral ruin; his idea of the Creator is that of a ruler whose pardoning power is subject to the veto of what is called "justice"; his notion of man is that he is born a natural hater of God and goodness, and that his natural destiny is eternal misery. The line dividing these two great classes zigzags its way through the religious community, sometimes following denominational layers and cleavages, sometimes going, like a geological fracture, through many different strata. The natural antagonists of the religious pessimists are the men of science, especially the evolutionists, and the poets. It was but a conditioned prophecy, yet we cannot doubt what was in Milton's mind when he sang, in one of the divinest of his strains, that

> "Hell itself will pass away,
> And leave her dolorous mansions to the peering day."

And Nature, always fair if we will allow her time enough, after giving mankind the inspired tinker who painted the Christian's life as that of a hunted animal, "never long at ease," desponding, despairing, on the verge of self-murder,—painted it with an originality, a vividness, a power and a sweetness, too, that rank him with the great authors of all time,—kind Nature, after this gift, sent as his counterpoise the inspired plowman, whose songs have done more to humanize the

hard theology of Scotland than all the rationalistic sermons that were ever preached. Our own Whittier has done and is doing the same thing, in a far holier spirit than Burns, for the inherited beliefs of New England and the country to which New England belongs. Let me sweeten these closing paragraphs of an essay not meaning to hold a word of bitterness with a passage or two from the lay-preacher who is listened to by a larger congregation than any man who speaks from the pulpit. Who will not hear his words with comfort and rejoicing when he speaks of "that larger hope which, secretly cherished from the times of Origen and Duns Scotus to those of Foster and Maurice, has found its fitting utterance in the noblest poem of the age"?

It is Tennyson's "In Memoriam" to which he refers, and from which he quotes four verses, of which this is the last:

> "Behold! we know not anything:
> I can but trust that good shall fall
> At last,—far off,—at last, to all,
> And every winter change to spring."

If some are disposed to think that the progress of civilization and the rapidly growing change of opinion renders unnecessary any further effort to humanize "the Gospel of dread tidings"; if any believe the doctrines of the Longer and Shorter Catechism of the Westminster divines are so far obsolete as to require no further handling; if there are any who think these subjects have lost their interest for living souls ever since they themselves have learned to stay at home on Sundays with their cakes and ale instead of going to meeting,—not such is Mr. Whittier's opinion, as we may infer from his recent beautiful poem, "The Minister's Daughter." It is not science alone that the old Christian pessimism has got to struggle with, but the instincts of childhood, the affections of maternity, the intuitions of poets, the contagious humanity of the philanthropists,—in short, human nature and the advance of civilization. The pulpit has long helped the world, and is still one of the chief defenses against the dangers that threaten society, and it is worthy now, as it always has been in its best representation, of all love and honor. But many of its professed creeds imperatively demand revision, and the pews which call for it must be listened to, or the preacher will by and by find himself speaking to a congregation of bodiless echoes.

OLIVER WENDELL HOLMES.

AARON'S ROD IN POLITICS.

SIMULTANEOUSLY with the nomination of General Garfield, the Republican party had the good fortune to fall heir to a new idea. Such windfalls are by no means frequent in the political world. As a rule, government is simply an eternal repetend. The problem of yesterday is puzzled over to-day, and comes up for a new solution to-morrow. The life of a nation is, in the main, only an infinite series of attempts to solve the same old problem in some new way. The stock properties of all governments are matters of revenue and administration. Parties are far more frequently divided upon the question of how to do than of what to do. With nations as with individuals, the chief business of existence is to find the means of living. The struggle for daily bread is the great end of government, as well as of the separate existences whose aggregate composes the nation. When to raise money and when to borrow it; what to tax and what to spare; what to buy and what to sell; how to spend and how to save;—these are the questions as to which government is most frequently concerned, and differences of opinion in regard to which usually distinguish parties. They are questions of method and detail. Right or wrong does not enter into them as a component. Policy, expediency, a question of profit and loss, is their highest element.

Now and then there comes a time when the question that is uppermost in all minds is not "How?" but "What?"—when the question of method, the mere economy of administration, sinks into insignificance in the presence of some peril which threatens the very fact of existence, or some crisis when that which has been is cast off like an outgrown garment and that which is to be has not yet assumed form and consistency.

Such an occasion was the birth-hour of the Republican party. Those who led did not know it, but subsequent events fully demonstrated that the people of the North had arrived at that

point when they determined to use their power to cripple and destroy slavery. How, they knew not; neither did they care very much about the means to be employed. Like the Pentecostan multitude, they all heard and saw the same thing—all understood that in some way or other the Republican party in its last analysis meant personal liberty. The public mind turned aside from the beaten paths of administration and addressed itself to the higher duty of deciding between a new-born righteousness and an ancient evil.

So, too, when armed rebellion stood threatening the nation's life, the struggle between parties instantly became not one concerning the economies of existence, but one of existence at all. Again, at the close of the war, questions of method of administration were dwarfed by the overtopping importance of fixing and establishing the terms and conditions of restoration, or, as we blindly though more wisely termed it, reconstruction.

Since those questions have been decided, or at least have taken on the form of legislative enactments, there has been an unremitting attempt to steer our political thought back into the old channels. Politicians and political scolds have agreed in reiterating that we must come back to the good old ways, and fight over again and again the ancient battles of banking, tariff, and currency, currency, banking, and tariff, without any disturbing influences from without. To consider the causes of revolution and counter-revolution, to trace the course of prejudice and caste, to tell the tale of violence, or balance the rights of the citizen over against a petty economy, instead of discussing the rate of interest or the system of banking, is to be "a stirrer up of strife," a "waver of the bloody shirt," a "ranter on dead issues," a party insubordinate, and a pestiferous political nuisance. This is not strange. Politicians do not like to be jostled out of their accustomed ruts. The old issues, the everlasting conundrums, leave the lines of battle undisturbed. They make the conflict of parties as peaceful and regular as a sham battle. The ground is known, the lines are drawn, and the result is—almost immaterial. No one is out of his bearings or beyond his depth. A few dollars, a little hog-cunning, a convenient slander, and the old battle has been won and lost on the same old ground, and by the same perennial parties. A question of principle instead of method is like a bomb-shell in the midst of holiday warfare. It forces an advance over ground that may be full of

pitfalls. A leader, by one misstep, may stumble into oblivion. A new political idea, therefore, is rarely adopted by any party until the last day of grace. Then it is that the people get ahead of their leaders. There is an advance along the whole line of a party which has planned only to hold its old works. Ordered to "dress" on some old issue, the people insubordinately "charge" on some new evil. Such times are crises. Old parties must clothe themselves with new ideas, or new ones are sure to arise.

Such a time is the present. The Democratic party, ever since the close of the war, has been trying to revivify old issues of form and method. They have sought to draw the veil of absolute forgetfulness over the new departure of 1861, and all that was either causative or resultant of that struggle. They have tried to lash the American people back to the lines of the old "autumn maneuvers," to divert attention from the rights of the citizen and the security of the Republic to matters of trade and discount.

Almost by accident, as it would seem, the Republican party gave utterance to a new political thought at Chicago, which is destined, if carried to its logical results, to make the coming quadrenniate of its power no less important and memorable than its first. If neglected, shirked, or trifled with, this administration will simply pass into history as one of those interregnums during which a party held power but did nothing—when "I dare not" waited on "I would," and politicians schemed for future places unmindful of the common weal. This thought which is destined to compel a new departure in politics, is the relation of the general government—the American nation or the American people—to the illiterate voters of the several States.

The Republican platform of 1880, for the first time in our history, pledges a party to the idea of national action in the direction of public education. The resolution in regard to it is not at all striking in its character, except in the fact that it does embrace this idea. It was evidently drawn with fear and trembling, and may be regarded as a not altogether unsuccessful attempt to make language a means of concealing thought rather than expressing it. Its history may almost be traced in its words. It is self-evidently a hesitant yielding to an irresistible demand. It is the language of the skilled politician, compelled to take a forward step in compliance with a popular sentiment which he dare not ignore. Not to go forward is to risk favor;

an inch too far may be ruin to the party whose plan of campaign he is preparing. For years the popular sentiment has been growing. An unshaped, indefinite conviction has sprung up in the public mind that something of the kind is wise and necessary. Members of Congress belonging to this party have introduced tentative measures, designed to feel the public pulse rather than to effect a specific cure. The president of this very convention, with commendable pertinacity, has more than once brought the subject to the attention of his colleagues. The question is one not without difficulty. The national charter is dumb in regard to it. No party has ever gone before to blaze the way, or show its pitfalls and dangers. Four years before, a like committee quietly sat down upon this feeling evidenced by petitions, and sought to be made the basis of a new Southern policy. The President of the Republic, impressed with the need of doing something which had not been done before, during the first three years of his term had not deemed this question worthy of serious consideration, but within a month preceding the sitting of this convention had voiced the popular sentiment in a public address. One of the leading candidates before the convention, a statesman of unusual strength and subtlety, a politician of great sagacity and long experience, had put it forth as one of the first and strongest points of the coming campaign, in a speech of remarkable power, in which, with commendable frankness, he announced his own candidacy for the nomination. It is evident that something must be done. The trend of public thought is unmistakable. The party must say something, but not too much. The draftsman must write as the cautious hunter shot—"so as to hit it if a deer, and miss it if a calf." The demon of State sovereignty rose before him, grim and terrible, stained with the blood of recent warfare, yet potent for defeat.

Thus pressed in front and rear, the politician seized his pen, and, with the skill of polished statecraft, wrote:

> "The work of popular education is one left to the care of the several States, but it is the duty of the national government to aid that to the extent of its constitutional ability. The intelligence of the nation is but the aggregate of the intelligence of the several States; and the destiny of the nation must be guided, not by the genius of any one State, but by the genius of all."

It was well and wisely and skillfully done. The first sentence is one of infinite possibilities. Much or little, anything or nothing, may be the scope of its significance according to the

stand-point of the reader. The chameleon cannot rival it in unchangeable power for infinite change. It is a messenger which needs no injunction to be everything to all men. The concluding sentence, the biggest half of the resolution, was addressed with deft flattery directly and entirely to the State sovereignty gnome. The writer judged well that the repeated impersonation of the "several States," and the deft appeal to the banded "genius" of these incorporeal existences, would effectually conceal the kernel of truth hidden in his bushel of chaff. Nevertheless, the grain was there, which is bound to grow and blossom and swallow other issues, like the prophet's rod. If vigorously carried into execution by the party in power, it will change the whole face of the Southern question. If haltingly dealt with as heretofore, that party will justly lose the advantage to be gained by the priority of their declaration in its favor.

THE DANGER.

As a general, abstract principle, it requires no argument to establish the truth of Madison's immortal apothegm that "a popular government, without popular information or the means of acquiring it, is but a prologue to a farce, or a tragedy, or perhaps to both."

It is to be feared, however, that very few have clearly formulated the extent and imminency of the danger arising from popular ignorance, which now confronts us.

There is a general belief that ignorance is at the root of some of our national ills, and that sometime and somehow danger is likely to result therefrom. This peril was clearly apparent to the mind of General Grant, when he recommended the desperate expedient of excluding all illiterates from the right of suffrage, by constitutional amendment. Though it evoked no Congressional action, it awakened thought, and the present state of the public mind is largely due to his action. President Hayes has rarely missed an opportunity during the last few months to feel the public pulse upon this subject, and, like many Republican canvassers during the late campaign, universally met with a hearty response from all, irrespective of party. His last message reveals his own conviction of the danger, but contains no practical suggestions on the subject. Several bills now before Congress are the outgrowth of this general feeling of apprehension.

The usual form of stating the danger to be apprehended from

this source by no means discloses the imminency of our national peril. It does not consist alone in the fact that of our population some seventeen per cent. is illiterate; nor even in the fact that twenty per cent. of our voters cannot read their ballots. This proportion, if evenly distributed, would perhaps hardly afford ground for apprehension, certainly not for immediate alarm. The real danger lies in the unequal distribution of this percentage of illiterates. The following table, compiled from the census of 1870, will sufficiently disclose this fact. While the recent census will considerably increase the aggregates, it is not probable that it will materially affect the relative proportions:

Voting population of the United States	7,623,000
" " " former slave States	2,775,000
Illiterate male adults in United States	1,580,000
" " " former slave States	1,123,000
Per cent. illiterate voters in United States to entire vote	20
" " " slave States	45
" " " States not slave	9
" " " South Carolina	59
Illiterate voters in Southern States (white)	304,000
" " " " (colored)	819,000

From this table the following facts will be apparent:

1. The sixteen Southern States contain about one-third of our voting population, and *almost three-fourths of our illiteracy.*

2. Forty-five per cent. of the voters of the Southern States are unable to read their ballots.

3. The illiteracy of the South, plus six per cent. of its literate voters, can exercise the entire power of those States.

4. If this illiterate vote be neutralized by force or fraud, a majority of the intelligent voters, or twenty-eight per cent. of the entire vote of those States, will exercise their entire national strength.

These States have one hundred and thirty-eight electoral votes, or, in other words, they exercise *seventy-two per cent.* of the power necessary to choose a President or constitute a majority in the House of Representatives, and *eighty-four per cent.* of a majority in the Senate.

By reason of their ignorance, forty-five per cent. of the voters of the South are unable:

1. To know what is their political duty.

2. To be sure that their votes actually represent their wishes.

3. To secure the counting of the ballots which they cast.

4. To protect themselves in the exercise of their ballotorial privileges.

So that the alternative presented is between an honest exercise of power by voters who are too ignorant to have any certain knowledge whether they are right or wrong, and the suppression of their votes by force or fraud. So far as their effects upon the nation are concerned, both are alike dangerous. While this mass of ignorance may be instinctively right in purpose, it is naturally unable to judge of the instrumentalities with which it works. If suppressed, that very act discloses a purpose and intent in itself dangerous. It is simply a choice between the dangers of honest ignorance and dishonest fraud or unlawful violence. The question for the nation to answer is whether it can afford to have three-fourths of the power necessary to control the government exercised by either ignorance, or fraud, or violence. The question is one above partisanship, as the safety of the nation is above party supremacy.

The general apprehension of danger to result from either horn of this dilemma is evidenced by the fact that what is termed the "solid South" is universally regarded as a thing to be either dreaded or excused. In the late campaign, each party accused the other of responsibility for its existence, and each asserted, as one of its chief claims to support, that its success would effectually banish this *bête noir* of our modern politics. Oddly enough, too, the one claimed that the "solid South" would be broken by the election of its candidate, because that action would show an inclination on the part of the North to give to the "solid South" whatever it desired, and thereupon there would result such a struggle over the spoils of victory inside the "solid South" as would permanently destroy all of its solidarity. The argument of the other party was that the success of its candidate would evidence such a determination on the part of the North as would induce the individuals composing the "solid South" to despair of winning national control by means of this solidarity, consequently, it was argued, they would gradually sliver off, court alliance with the Republicans, and, by so doing, not only protect the ignorant colored voters in the exercise of their franchise, but also compel the remainder of their present associates to court in like manner the colored vote, and so accomplish the end, by all professedly deemed most desirable, to wit, the breaking up of the "solid South" and of the colored vote of the South at once.

Both of these claims are fallacious, but they show a universal conviction that the "solid South" and the solid ignorant vote of the South are both dangerous things. The trouble is, that, instead of seeking to eradicate the cause, both parties have hitherto sought to "whip the devil around the stump" by shallow artifices, which, even if they were to succeed, would afford but a temporary relief. This mistake results in a great measure from a misapprehension of the relative character of the present parties at the South, and the use of the terms "the South," "Southern people," and "solid South," in different senses.

Of the white race at the South, some twenty-four per cent. of the voters are illiterate; of the colored race, about ninety per cent. Of the Republican party at the South, about seventy-five per cent. is colored, and the remainder white. The ratio of illiteracy among the whites of the two parties is probably about the same, for, while the white Republicans will hardly average with their Democratic neighbors in wealth, it takes a certain amount of intelligence to furnish the backbone necessary to make a Southern Republican. There are no colored Democrats, or not enough to constitute an appreciable percentage. This estimate would make something more than seventy per cent. of the present Republican party of the South illiterate and twenty-four per cent. of their opponents. This classification of parties dates back to the period of reconstruction, and was formed solely upon the question of accepting or rejecting rehabilitation under those measures. The lodestone which united the opposition was hostility to the political equality of the negro. All other points of difference were insignificant and trivial, except as they bore upon that one absorbing idea. Since that time there has been no material change in the strength or animus of the respective parties.

The party opposed to the reconstruction measures became what is known as the "solid South." The alliance of this faction with the Democratic party of the nation was purely accidental. They united with that party simply because the Republicans favored the reconstruction measures. The "solid South" is not solidly Democratic, but solidly "Southern"; or, what is the same thing, solidly opposed to the exercise of political power by the colored man. It did not become solid in the hope of achieving national power, but moved into the Democratic camp in the hope of achieving power by means of its already

established solidarity. The "solid South" has no especial affinity for the Democracy any more than for any other party. Its distinctive features are peculiar to itself. No defeat of the Democratic party affects its solidarity, nor is any triumph of the Republican party of any moment to it so long as no step is taken to interfere with or remove the causes of its solidarity. This faction was not made "solid" by the hope of enjoying federal patronage and favor. When it was first organized, there seemed little hope of success for it even in local affairs. Only the most far-seeing sagacity could have predicted that astonishing triumph which it has achieved. Yet, there was no hesitation, no faltering, no desertion. The number of proselytes from it during the years of Republican supremacy was surprisingly small. The most tremendous majorities did not appall or discourage them. As they did not abandon their faction when in a minority for the sake of preferment, so they will not now defy its power for the sake of favor.

This faction, unquestionably a minority, assume for themselves the term "Southern," with a sublime disregard of the weak and ignorant majority. This use of the term "Southern" has become so general that its absurdity is almost forgotten. That which is favored by this element is said to be "Southern," and that which is opposed to it, "anti-Southern." A national policy which is thoroughly approved by every member of the actual majority of the people of that section is denounced by this element as one hostile to "the South." Even as these words are written, the message of the President is spoken of by a leading journal as "meeting with universal execration at the South," while in truth no document he has ever written is regarded by the actual majority there as approaching it in good sense and statesmanship. This assumption by a faction of terms denoting the whole, and the general concurrence in their use, is the cause of endless confusion. In this article, "the South" will be used for the section, and the "solid South" to designate the faction.

If such a thing as the disruption of the "solid South," and the distribution of the colored vote between its fragments were possible, it would still be only a temporary remedy for the evil which threatens the nation's future. For a time it would lessen the danger, and the political Micawber might be excused for appealing to an artifice which would give opportunity for an unforeseen something to turn up. When we consider the

extreme improbability of any such disruption, and the absence of any stronger issue than the mere bait of official power which can be offered to induce the dissolution of a "solid South," which is based on race-prejudice and the traditions of the past, we may well conclude that the only remedy is to attack the citadel of ignorance.

There are two methods by which the danger may be avoided. The one is that which has been adopted by certain of the States, which is to exclude the illiterate from the ballot. This can never be honestly done, even if desirable, because in more than one-third of the States an honest majority can never be obtained in its favor. Every unlettered man will of course oppose his own exclusion from political power, unless intimidated or deceived, and there will never be found a time, should it be attempted, when there will not be intelligent voters enough who unite with them to give a majority. Who believes that such a measure could be *honestly* adopted in South Carolina, for instance, where fifty-nine per cent. of the voters are illiterate? Such a movement could not consistently be inaugurated or supported by the Republican party, both because of the vast percentage of illiterates in its Southern wing, and also because it would be a virtual confession of folly or insincerity in its reconstructionary legislation. Such an admission would be fatal.

The only other method of treating this evil is that so cautiously pointed out in the resolution, already quoted, of the Republican platform of 1880—national education, or national aid to education. So that we face the inquiry, Is this a sufficient and possible remedy?

THE POWER OF CONGRESS.

THE first question to be considered in connection with this inquiry is the power of Congress over the subject-matter.

No power to provide for the education of the citizens of the different States, or that vague thing denominated "American citizenship," or to prescribe the course or character of instruction, is provided in the Constitution. At the time of its adoption, such a thing as an organized system of public schools under State control was unknown. The whole idea of public education is one of later growth. Washington and others of his compatriots were anxious for a national university, but the systematic educa-

tion of all the people, by the state or nation, was hardly dreamed of at that time. Its especial necessity, arising from the influence of ignorance upon political affairs, was not then felt, because of two things, viz.: the restrictions upon the ballot were such that very few men could compass that privilege who were not at least able to read and write. The immigration to our shores (except the pauper and penal immigration to some of the Southern plantations) had chiefly been confined to religious malcontents, who came to avoid persecution, and persons who voluntarily left their homes to seek advantage from settlement in unbroken wilds. This very fact stamps them as among the most enterprising, far-seeing, and determined of their respective classes. They were really picked men. The doctrine of the survival of the fittest never had a better illustration than in the settlement of the American colonies. This was the main reason why our early settlers, coming as they did chiefly from the middle and lower classes of England, developed so suddenly a capacity for self-government, invented new governmental forms, and adapted themselves to untried conditions with such astonishing ease. They neither understood the danger resulting from ignorance, however, nor the proportions to which it would grow in our land. They were too busy securing rights against the power of king and lords to fear any evil to come from the masses. It was one of those things which the Constitution is silent in regard to, simply because its authors had no prevision of the subject-matter. It is, however, one of that numerous class of questions which the inherent necessities of national existence have, from time to time, forced upon our attention. The department of agriculture, the coast survey, scientific and exploring expeditions, the signal service, the military and naval academies at West Point and Annapolis, and many other branches of administrative work, are beyond the purview of the written Constitution. There is no sense in saying that they are not within a strict construction of that instrument. They cannot be embraced by *any* construction of its words, because they were not within the range of its authors' thoughts, and could not have been within the intendment of their language. Of these extensions of the governmental powers beyond the purview of the written Constitution, by far the greater portion have been accepted and concurred in without controversy. Their need was so apparent, and the logic of their existence so irresist-

ible, that they have been deemed only necessary corollaries of other unquestioned powers.

The incidents of national power—those things which are essential to its existence, development, and perpetuity—have always been held to be within the legitimate scope of both the legislative and executive branches of our national government. Out of our Constitution has grown a nation, and out of the needs of that nation, following the English precedent, has grown the doctrine of intendment, by which our Constitution is kept as flexible, as capacious and receptive as the unwritten constitution of Great Britain. The positive authorizations and inhibitions of the written instrument are, of course, in no case to be disregarded; but the silences which lie between have been peopled with incidental powers until the fabric of a compact and harmonious nationality bids fair to rise by natural and healthy growth out of the imperfect federation which our fathers adopted.

The power to provide for the education of the people, to secure the intelligence of its electors and thereby prevent its own disintegration and destruction, is one of these incidents of national existence. The right of self-preservation and defense is as much an essential of national as of individual life. The power to provide for an intelligent exercise of the ballotorial power is a necessary incident of elective government. If we are to be ruled by the ballot, the ballot-box must be kept open, free, and the power to be exercised through it must be the power of intelligence. The rule of the ballot implies supervision; and the power to make all participants in our governmental control, implies the right to make them fit to do so. Manhood suffrage, equality of right, presupposes, in the power conferring such equality, the power and the right to render the recipient capable of its intelligent exercise. The safety of the republic is the highest law, and the most evident condition of its safety is, that those who rule shall have sufficient intelligence to know what they desire to do, and when they are doing it. The illiterate man who holds a ballot is like the blind man who wields a sword—he knows not whether he wounds friend or foe.

The ballot-box, controlled by ignorance, is as much an instrument of chance as a dice-box. The illiterate has, in the first place, but a limited means of learning how he ought to vote, and no means at all of making sure that he has voted as he wishes. He is the ready victim of fraud. He invites deception, and

furnishes food to the demagogue. He is more to be feared than the traitor or usurper, because he constitutes the following which makes treason dangerous. The ignorant voter swells the rank and file of the army that follows at the heels of the corrupt politician. Education does not make men honest, but it enables them to detect fraud. It is a safeguard, because the bulk of mankind are honest, and if intelligent enough to distinguish the right, will follow it. The power to educate its own voters then, is, and must be, inherent in any republic, because it is only an incident of the right of national defense.

The nation's right of self-defense, the implied power to maintain itself, was not exhausted by the struggle to put down rebellion. It equally exists as to any impending evil. The national board of health, and the proposed action in regard to the cattle plague, are recent instances in which the public mind has approved the exercise of such power. Is the nation to hold its hand, permit disease to ravage a portion of the land and threaten all the rest, simply because the boundary of a State must be crossed to provide a remedy? The peril from ignorance is of precisely the same character. Fortunately it is not, as a fact, contagious, but under our system of government its evils are by no means bounded by the State, or district, in which it prevails. When it furnishes the votes which elect a member of Congress from the city of New York, or by fraud or intimidation permits a member to be chosen by the majority of a minority in Mississippi, the conduct of those representatives bears with equal weight, for good or ill, on every citizen in every district of the United States. If the blind man cut only himself he might perhaps be allowed to play with the sword; but when fifty millions more are wounded every time he smites himself, it is not only permissible for them to take measures for their own protection, but incumbent upon them to do so. It is because aggregated ignorance has become dangerous to the continuance and development of the nation, inimical to our form of government and the principles on which it is based, that the nation has the right to begin and carry on a war of extermination against it. It is not the Constitution, but the law of national existence that flows from the Constitution, which gives us this right. A nation has not only the inherent right to exist, to guard and protect its present, but also to secure its future and perpetuate its life. That right our nation is not only entitled to exercise, but it has reached a

point where further to omit to do so would be hazardous and criminal.

While, if it became necessary, the nation might lawfully stamp out ignorance as it did secession, yet it becomes incumbent on the statesman to adopt that method which promises to secure the result aimed at with the least interference with the established harmony of our complex system of government. There are three *possible* methods of national education:

1. The assumption by the general government of the duty of educating its own citizens, without reference to the State organizations.

2. The distribution of a national fund to the various State organizations, to be by them applied and controlled, without supervision or interference on the part of the general government.

3. The appropriation of a fund in aid of primary schools in the different States, to be administered under the supervision and control of the national government.

The first of these needs no consideration, because, as has just been remarked, it is only to be resorted to when all other plans have failed. Neither public sentiment nor the imminency of the peril is such as to justify such a radical departure from the system of coördination which has existed hitherto between our State and national governments.

The second, that of placing funds absolutely in the hands of the various States for educational purposes, which is the basis idea of the bills now pending before Congress, is open to the following serious objections:

1. The experience of the nation in regard to such bequests is not encouraging. The results have not generally been at all proportionate to the munificence of the gifts.

2. Such a fund is especially liable to misappropriation. It goes into the absolute control of the various State legislatures, and being a fund not raised by immediate taxation of their own constituents, they are naturally held to a less rigid accountability for its expenditure. "Easy come, easy go" is especially true of such funds. It is almost a moral certainty that its investment or application would soon become a party question in every State, and the result would be a minimum of progress at a maximum of cost.

3. Such a fund is liable to be diverted from its legitimate

purpose for the benefit of a class or a sect. Instead of being devoted to the cure of illiteracy, it may be frittered away in costly scientific experiment, or the support of higher education for a few, which, while good enough in itself, does not materially affect the specific evil sought to be remedied. The bill now pending before Congress has not avoided this evil. One-third of the fund it appropriates is to go to the support of colleges. Illiteracy is the present danger. When that is cured, there will be time enough to think about polishing diamonds. The Louisville "Journal" is entirely right when it says, "Let the whole proceeds go to the common schools, and to no schools of higher education." The nation is interested in curing the illiteracy of all classes and both races. A fund given in bulk to the authorities of a State can no longer be controlled by the general government, and may be applied to the benefit of one race or class, without remedy. The fund distributed to the States many years ago was, in not a few cases, invested in Confederate bonds and used to destroy the giver.

4. Instead of being an incentive to exertion on the part of the States and their citizens, it is a bid for carelessness and sloth. Instead of exerting themselves to supplement the nation's bounty with their own best endeavors, the tax-payers of the State would be apt to clamor for a reduction of the State tax for schools on account of this donation, and demagogues would soon seek for votes by promising such relief, thus corrupting their constituents by means of the national funds, and destroying that public sentiment which must underlie every successful system of public instruction.

THE REMEDY.

We come, then, to consider the third method, and meet at once the inquiry: "Can the general government administer a fund in aid of public education in the various States without assuming the control of the public schools thereof?"

We believe it can, by means of any system which shall contain the following elements:

1. The raising of a sufficient national fund for educational purposes.

2. The distribution of this fund on the basis of illiteracy.

3. The payment of the fund directly to the officers or teachers of schools in towns or districts, according to the number of

illiterates therein, and on proof that schools, free to all within school age, have actually been kept in operation therein for a certain specified portion of the year.

4. A thorough system of inspection and supervision of the schools thus assisted, and full and accurate reports of all matters necessary to direct future legislation on the subject.

5. Provision that the fund not applied in any particular district for any year shall be forfeited to the general fund for the succeeding year.

6. The sum allowed ought, in no case, to be more than one-third or one-half the amount necessary to maintain the school during the specified time; the balance being required to be provided either by State taxation or private subscription.

It is not intended here to discuss the method of raising this fund, nor the amount required, further than to express the belief that it should be a regular part of the national budget, and be provided in like manner with other current expenses. We should not wait for the slow process of a sinking-fund, nor seek to sneak out of responsibility by giving the income of a fancifully invested sum, the existence of which may depend on some doubtful contingency. It should be an honest fund, not raised by indirection nor appropriated by stealth. Its distribution, on the basis of illiteracy, is an idea already incorporated in at least two bills now before Congress, and strongly advocated by Mr. Commissioner Eaton for several years. It has the merit of putting the plaster directly on the sore.

The result of this would be to apply more than two-thirds of the fund to primary education at the South, so long as the present ratio of illiteracy existed there. This is not only good policy, but the highest justice. Slavery was the parent of ignorance, not only on the part of the slave, but also of the white race. Through national encouragement it grew, and the amount invested in it yearly increased until the war began. The result of the war not only deprived the South of the proceeds of previous economy by destroying the capital thus invested, but also, by making the freedman a citizen, imposed on some one the task and burden of his instruction. It is an enormous undertaking for either the State or the nation. For those States, it is quite an impossible one. They could, by the utmost reasonable exertion, hardly bring their population to the level of our present Northern intelligence in a hundred years. During that time, the nation

would be constantly imperiled by this mass of ignorance. Not only is it an almost impossible task for them, but it is one which they ought not in justice to be asked to perform alone. Not only did the nation, by its laws and institutions, encourage slavery, but it shared in its profits and reaped advantage from the prosperity which it helped to bring. The merchants of the North shared the profits of every pound of cotton, tobacco, or sugar which the Southern planter raised. The Northern manufacturer had the advantage of this great market close at hand, and protected from foreign competition by a tariff which made every planter of the South pay tribute to him on almost every article he purchased. The advantages of slavery were, therefore, shared by North and South alike, and in a pretty nearly equal degree. The evils of slavery, and the losses consequent upon emancipation, fell mainly upon the South. It is true that great losses were sustained by the North. The industries of the North so greatly exceed those of the South, and its aggregated wealth is so much more, that the burden of public debt falls chiefly upon it. Yet it is by no means just that the South should be compelled to bear alone the burden of curing the evils which the nation fostered and grew fat upon. If slavery was an evil, the nation should bear a part of the cost of its cure. If it be regarded only as a productive institution, the North should bear a part of the cost of its transformation into self-directing labor, and a co-equal political element, because it shared in the profits of its enslavement. There is still another view of this matter. Although emancipation was a necessary resultant of the war of rebellion, and enfranchisement an unavoidable corollary of emancipation, yet, as political facts, both were of Northern origin, and enforced by Northern or national power. The voice of the South—excluding the colored man's vote—has never ratified either the emancipation of the slave or the enfranchisement of the freedman. By national authority they were made constituent elements, not only of the nation itself, but of the subordinate commonwealths in which they dwelt. The reconstruction acts were in effect as compulsory as if they had been prescribed by the commander-in-chief, with force of arms. The fact that we empowered the colored man to do by his ballot the will of the nation, does not deprive those acts of their compulsory character, so far as the former constituent elements of statal-power in the Southern States were concerned. Their

result was to render necessary the education of the illiterate voters of the South, in order to prevent misgovernment or usurpation. Sooner or later, every man in those States will see that their only hope lies in the intelligence of their voters. Thus to compel those States to assume a vast expenditure is a flagrant instance of taxation without representation. It is what the Irishman, during the war, defined a draft to be,—"a nate way of compelling a poor fellow to volunteer." Equity and good conscience, as well as the public safety, demand that the nation should assume a fair share of this burden.

The third proposition is intended to afford a simple and effective method of securing the application of the fund to the very purpose for which it was intended. It is the most important element of the plan proposed. Instead of giving the fund in gross into the hands of the States and making them its almoner, the nation itself takes care that its purpose is fulfilled. It secures its bounty to the people, and not to the States. It is, in effect, the plan adopted in the distribution of the Peabody fund, and has there shown itself well calculated both to secure immunity from imposition and also to awaken public interest and coöperation in educational work. By this wise method of administration, the trustees have doubled, and perhaps trebled, the value of Peabody's munificent benefaction. Giving to no school enough to wholly sustain it; requiring it to be kept open a certain number of months in every school year; to have a certain minimum of enrolled pupils and a certain average attendance during that time, and, above all, paying only when its work has been done, the Peabody fund has done more good by inducing others to give, than by the funds actually distributed. Its working has been altogether harmonious, both with State systems and free schools maintained by private subscription. The same system adopted by the nation would have a like effect. If the authorities of a State should refuse to coöperate with the nation, the people of the separate districts of such State might still share its benefits by a little individual exertion. It would only be necessary, in order to carry out this provision, to ascertain the number of illiterates in any specified territory of each race, apportion the fund thereto, and before giving money to any school within that town or district, to require proof either that it was open to all races, or, in States where public opinion does not allow of mixed schools, that like opportunity was afforded to the other race by other schools in such district.

Of course, the details of this would require careful elaboration. No man could to-day draw a bill sufficiently broad and elastic to meet all the needs of such a system. Only care, experience, and the most extended study of the data furnished by full and careful reports could enable one to accomplish such a task.

From this very fact arises the necessity of the fourth proposition. Up to this point it is believed that the plan proposed has steered clear of debatable ground. It cannot well be denied that the Congress has a right to appropriate funds for school purposes, since it has not unfrequently done so. It will hardly be questioned that it may distribute that fund itself, and not through the agency of the State governments, provided the plan adopted is not intended to favor one State more than another. In connection with this, it should be remembered that the purpose and object of this work is neither to benefit nor favor any State nor section. Its object is not even to favor the recipients of its bounty. Its sole intent is to protect the nation from an insidious and deadly peril. In this result every State, and every individual in every State, has an equal and direct interest. As it is intended, however, to act in harmony with State systems of public instruction, to assist, promote, and develop primary schools, which are, in part or in whole, supported by taxation under State laws, controlled by State officials, and managed by State authority, it may be urged at once that the States will not submit to national supervision or inspection of such schools. It will be noted that it is not proposed that the government shall exercise any *control* over such schools, but only to provide that, as a condition precedent to participation in the benefits of the fund, the school shall have been open to the thorough inspection and supervision of an authorized representative of the general government, who shall report upon its methods, grade, and character. It is not proposed that he shall have any authority, but merely be the eyes through which the Congress shall watch over its own work, and guide itself in the future exercise of its power. These inspectors are to be merely gatherers of data, acting under prescribed forms. Nothing need be said about their method of appointment or compensation. It is not intended that there should be a numerous force of paid inspectors. On the contrary, it is believed that good men and women can be found in every township in the land who will willingly give the little time required to visit the schools

in their district, and furnish the reports required, for the sake of securing the benefits of the system and promoting the cause of education. They should be appointed without regard to party or sex. Indeed, it is more than probable that there would be no occasion for partisan feeling in regard to the matter. Each race should be allowed at least a representation in the supervision of its own schools, if desired.

It is not believed that any serious opposition could be made to such a system of inspection. If it is, the issue ought to be made up at once. In no State could a party standing on such opposition long succeed in retaining power. It is in the Southern States alone that any opposition to such a plan of national action is to be anticipated. The mistaken ideas of the rank and file of the "solid South," in regard to the true interests of that section, naturally incline them to oppose anything looking toward governmental action in this respect, and many of their leaders would be bitterly hostile to anything which promised to secure the enlightenment of their constituents. Their power depends in great measure on the ignorance of the masses. It is a mistake to suppose that the leaders of the "solid South" are the best men of the organization which they control. They are, to a large extent, the buccaneers, the desperadoes, of their own party; the men who were bold enough and unscrupulous enough to assume its leadership in the days of active kukluxism, and head the revolutionary organizations which gave it power. They are men who gained prominence by their boldness in directing movements which touched the verge of treason, were unlawful and violent. There were many who sympathized with the purposes of such organizations who did not approve of their methods. Few cared to face danger and ostracism to oppose; but many tacitly disapproved. These are the really "best men" of the "solid South." As a rule, they are not extravagantly proud of their present leaders. Many of them—and the number is hourly increasing—are becoming more and more convinced that the education of the voter is the only chance for the permanent prosperity of their section. These would undoubtedly give in their adhesion to such a system.

The principle of national supervision, however, is vital to the success of national aid to education, because:

1. It provides a check upon fraud, imposition, or misapplication of the fund.

2. It secures material for future amendment of the law.

3. It enables the Congress to know just what sort of instruction the citizens of the nation are receiving through its bounty.

This last point is not one to be neglected. It is a very significant fact, that in nearly every one of the Southern States the text-books prescribed by the authorities openly and ably defend the right of secession; extol the Confederacy and its leaders; assail the national government and its defenders, and, in short, tend directly to diminish the respect due to the government, and justify the action of those who sought its disruption. No man can read the Southern school histories without being assured that their purpose and intent is to instill the extremest doctrines of State sovereignty and secession, both by direct argument, and by subtle depreciation of the federal government and its acts and agencies. This is altogether natural. The "solid South" is, in the main, the successor of the rebellious South, not in its present purpose, but in its underlying spirit, and largely in its *personale*. To defend rebellion is to them merely the instinct of self-justification. To uphold and justify the leaders of secession without assailing the government which suppressed rebellion is a logical impossibility. If Jeff Davis is to be glorified as a patriot and a martyr, Lincoln must, of necessity, be depreciated. If the rebellion was just and righteous, of course its suppression was a crime. That those who promoted and carried on rebellion should desire to stand in history as patriots and martyrs is altogether natural and reasonable. That they should especially desire their sons and their daughters, to the latest moment of time, to venerate their cause and glorify their efforts is by no means surprising. That their children should be even more devout believers in the righteousness of the "lost cause" than their fathers ever were is but a natural result. Hardly a man of the South has ever admitted that secession or rebellion was wrong. "It was simply a question of power," said one prominent Southerner. "The principles for which Lee fought and Jackson fell" are referred to by another as living facts. "The sword decides nothing" has become a favorite apothegm with them. Not one has expressed penitence, or any conviction of having adhered to an unholy cause, or even admitted that if they were placed in like circumstances again they would do otherwise. Their words to the coming generation are not: "My son, take warning from the errors of thy father; shun that false doctrine which led me to shed blood in an unworthy cause; beware of any pitfall of

prejudice or dogma that may lead you to take up arms against the government of the United States." On the contrary, their language is: "Our cause was just; we were entirely right; our deeds of heroism were unmatched; our escutcheon was unstained; our enemies were servile and degraded, corrupt and inhuman; we were never defeated, but were simply 'overpowered' by a hireling and imported soldiery; we were *right* enough but not *strong* enough!"

Considering these things, it is not surprising that the books which are prescribed, even for the colored schools of the South, by the State officials, are largely occupied in demonstrating to the children of emancipated parents the righteousness of that confederacy whose corner-stone was slavery, and the unholiness of that government which oppressed, exasperated, and finally "overpowered" the "South." As a matter of sentiment, we cannot refrain from a certain sympathy with this feeling. When we consider it as a political fact, however, we must lay aside sentiment, and inquire of ourselves whether it promises well for the future of the country that one-third of its children are being taught to despise and contemn that government to whose crowning effort the nation owes its existence.

No one desires in any manner to reflect upon the individual motives of the Confederate leaders or soldiery. A man may be honestly and earnestly and patriotically wrong. We are willing to admit that the adherents of the Confederacy were so. Indeed, we have always clamorously insisted that such was the fact, and have thrust our forgiveness upon them unsought, by reason of it. Such, however, has never been their position. They have always stoutly insisted, not only that they were *sincere*, but that they were *right*. If this be true, then the nation was wrong, and if wrong then is wrong to-day, and always will be wrong until the principles of the Confederacy prevail, and the wrong of its suppression is righted. This is the unavoidable conclusion from the doctrine taught in the public schools of the South to-day.

It becomes necessary, therefore, to know the extent and effect of such teaching. It is believed that general intelligence in this age of free thought, fed with the utterances of an untrammeled press, is in itself a sure cure for false dogma, and the writer confidently expects that such a system of national education will soon modify, and eventually do away both with such instruction and the baser element of the feeling from which it springs. It is,

however, a matter which should not go unnoted, and the government should be fully informed to what extent a system designed to secure its perpetuity is perverted to increase its peril. By no means should funds be given into the hands of State authorities to be used in strengthening such a sentiment.

The fifth of the proposed elements of this system is merely designed to prevent any district from allowing its proportion of the fund to accumulate, until it is sufficient to maintain a school for the prescribed period in one year, and then drawing and using it, without any exertion on the part of its own people to supplement and enhance its benefits; and the sixth is intended to make the law a constant incentive to local efforts to promote general primary education.

The probable results of such a system are almost too vast for estimate. Some of them, however, are hardly matters of conjecture. Among these are:

1. It would rapidly reduce the number of men who do not know where to register, where to vote, for whom they are voting, what are their rights, or what is necessary to be done to secure them.

2. It would rapidly increase the number of men who would know how they were voting, be able to see to it that their votes were counted, and whose knowledge would enable them intelligently to determine their duty.

3. It would strike at the roots of the "exodus" by enabling the laborer to guard himself from fraud by the terms of his contract, and by securing its honest and intelligent enforcement.

4. It would offer a new issue which would enable men who are not proud of fraud, and are ashamed of violence, to withhold their support from the "solid South," at least upon national questions.

5. It would afford opportunity for re-organizing the Republican party of the South, and do away with "rings" designed simply to gather crumbs of patronage, and not inclined to court accessions of such talent and character as might interfere with the distribution of the crumbs. While it is, in no true sense, what the pending "Burnside Bill" has been termed—"a gift from the more educated to the illiterate States," but a measure of self-protection and justice merely, it is still far preferable, as a measure of wise conciliation, to that extensive scheme of internal improvement at the South, which consists chiefly in finding channels for the waters of the West, and water for the channels of the East.

6. It strikes at the very root of the sentiment in which the doctrine of State rights is grounded. The Southern man has heretofore regarded the nation as a vague penumbra, foreign, and usually hostile to the State, which is the object of his most profound adoration. His universal excuse for rebellion is: "I would go with my State against anything outside of it." This plan of State aid to education presents the national government to the eyes of all the people, constantly and persistently, and in an entirely beneficent light. They will learn to regard it, not as a thing "outside" of the State, but *inside* of, above, and around, pervading, sustaining, and vivifying the State.

7. By raising the grade of intelligence among the working population of the South, it will tend to promote the growth of manufactures, and so unify the interests and development of the different parts of the nation.

Other effects of perhaps even greater significance will occur to the mind which carefully considers the possibilities of such a system. There remains only to discuss the cost. In regard to this it need but be said that no money can compensate for the perils which every quadrenniate brings, by reason of the cloud of ignorance which hangs over the Southern portion of the republic.

So far as the foregoing pages are occupied with matters of method, they are of course only tentative: other and better plans may be devised, or these greatly improved; but so far as they pertain to the developments of the present and the past, to the nature of the remedy rather than the details, they are the result of long and careful study, thoughtful and unprejudiced observation, and the most profound conviction.

To any one who may be disposed to count the cost, there comes an imperative demand to estimate also the danger, to consider whether the present evil shows any hopeful signs of amendment; whether by any other means the republic is likely to be preserved; whether the results, even aside from all political considerations, will not fully repay the expenditure; whether justice does not especially demand that the nation should educate the freedman it has emancipated; and finally, whether the noble sentiment of Peabody, that "education is a debt which the present owes to future generations," does not include within its scope the nation, as well as its components, the State and the individual.

ALBION W. TOURGEE.

DID SHAKESPEARE WRITE BACON'S WORKS?

THE greatest of English poets is Shakespeare. The greatest prose writer in English literature is probably Lord Bacon. Each of these writers, alone, is a marvel of intellectual grandeur. It is hard to understand how one man, in a few years, could have written all the masterpieces of Shakespeare,—thirty-six dramas, each a work of genius such as the world will never let die. It is a marvel that from one mind could proceed the tender charm of such poems as "Romeo and Juliet," "As You Like It," or "The Winter's Tale"; the wild romance of "The Tempest," or of "The Midsummer Night's Dream"; the awful tragedies of "Lear," "Macbeth," and "Othello"; the profound philosophy of "Hamlet"; the perfect fun of "Twelfth Night," and "The Merry Wives of Windsor"; and the reproductions of Roman and English history. It is another marvel that a man like Lord Bacon, immersed nearly all his life in business, a successful lawyer, an ambitious statesman, a courtier cultivating the society of the sovereign and the favorites of the sovereign, should also be the founder of a new system of philosophy, which has been the source of many inventions and new sciences down to the present day; should have critically surveyed the whole domain of knowledge, and become a master of English literary style. Each of these phenomena is a marvel; but put them together, and assume that one man did it all, and you have, not a marvel, but a miracle. Yet, this is the result which the monistic tendency of modern thought has reached. Several critics of our time have attempted to show that Lord Bacon, besides writing all the works usually attributed to him, was also the author of all of Shakespeare's plays and poems.

This theory was first publicly maintained by Miss Delia Bacon in 1857. It had been, before, in 1856, asserted by an Englishman, William Henry Smith, but only in a thin volume printed for private circulation. This book made a distinguished convert

in the person of Lord Palmerston, who openly declared his conviction that Bacon was the author of Shakespeare's plays. Two papers by Appleton Morgan, written in the same sense, appeared last year in "Appleton's Journal." But far the most elaborate and masterly work in support of this attempt to dethrone Shakespeare, and to give his seat on the summit of Parnassus to Lord Bacon, is the book by Judge Holmes, published in 1866. He has shown much ability, and brought forward every argument which has any plausibility connected with it.

Judge Holmes was, of course, obliged to admit the extreme antecedent improbability of his position. Certainly it is very difficult to believe that the author of such immortal works should have been willing, for any reason, permanently to conceal his authorship; or, if he could hide that fact, been willing to give the authorship to another; or, if willing, should have been able so effectually to conceal the substitution as to blind the eyes of all mankind down to the days of Miss Delia Bacon and Judge Holmes.

What, then, are the arguments used by Judge Holmes? The proofs he adduces are mainly these: (1st) That there are many coincidences and parallelisms of thought and expression between the works of Bacon and Shakespeare; (2d) that there is an amount of knowledge and learning in the plays, which Lord Bacon possessed, but which Shakespeare could hardly have had. Besides these principal proofs, there are many other reasons given which are of inferior weight—a phrase in a letter of Sir Tobie Matthew; another sentence of Bacon himself, which might be possibly taken as an admission that he was the author of "Richard II."; the fact that some plays which Shakespeare certainly did not write were first published with his name or his initials. But his chief argument is that Shakespeare had neither the learning nor the time to write the plays, both of which Lord Bacon possessed; and that there are curious coincidences between the plays and the prose works.

These arguments have all been answered, and the world still believes in Shakespeare as before. But I have thought it might be interesting to show how easily another argument could be made of an exactly opposite kind—how easily all these proofs might be reversed. I am inclined to think that if we are to believe that one man was the author of the plays and the philosophy, it is much more probable that Shakespeare wrote the works

of Bacon than that Bacon wrote the works of Shakespeare. For there is no evidence that Bacon was a poet as well as a philosopher; but there is ample evidence that Shakespeare was a philosopher as well as a poet. This, no doubt, assumes that Shakespeare actually wrote the plays; but this we have a right to assume, in the outset of the discussion, in order to stand on an equal ground with our opponents.

The Bacon *vs.* Shakespeare argument runs thus: "Assuming that Lord Bacon wrote the works commonly attributed to him, there is reason to believe that he also wrote the plays and poems commonly attributed to Shakespeare."

The counter argument would then be: "Assuming that Shakespeare wrote the plays and poems commonly attributed to him, there is reason to believe that he also wrote the works commonly attributed to Bacon."

This is clearly the fair basis of the discussion. What is assumed on the one side on behalf of Bacon we have a right to assume on the other on behalf of Shakespeare. But before proceeding on this basis, I must reply to the only argument of Judge Holmes which has much apparent weight. He contends that it was impossible for Shakespeare, with the opportunities he possessed, to acquire the knowledge which we find in the plays. Genius, however great, cannot give the knowledge of medical and legal terms, nor of the ancient languages. Now, it has been shown that the plays afford evidence of a great knowledge of law and medicine; and of works in Latin and Greek, French and Italian. How could such information have been obtained by a boy who had no advantages of study except at a country grammar-school, which he left at the age of fourteen, who went to London at twenty-three and became an actor, and who spent most of his life as actor, theatrical proprietor, and man of business?

This objection presents difficulties to us, and for our time, when boys sometimes spend years in the study of Latin grammar. We cannot understand the rapidity with which all sorts of knowledge were imbibed in the period of the Renaissance. Then every one studied everything. Then Greek and Latin books were read by prince and peasant, by queens and generals. Then all sciences and arts were learned by men and women, by young and old. Thus speaks Robert Burton—who was forty years old when Shakespeare died: "What a world of books offers itself, in all subjects, arts and sciences, to the sweet content and

capacity of the reader! In arithmetic, geometry, perspective, opticks, astronomy, architecture, *sculptura*, *pictura*, of which so many and elaborate treatises have lately been written; in mechanics and their mysteries, military matters, navigation, riding of horses, fencing, swimming, gardening, planting, great tomes of husbandry, cookery, faulconry, hunting, fishing, fowling; with exquisite pictures of all sports and games. . . . What vast tomes are extant in law, physic, and divinity, for profit, pleasure, practice. . . . Some take an infinite delight to study the very languages in which these books were written: Hebrew, Greek, Syriac, Chaldee, Arabick, and the like." This was the fashion of that day, to study all languages, all subjects, all authors. A mind like that of Shakespeare could not have failed to share this universal desire for knowledge. After leaving the grammar-school, he had nine years for such studies before he went to London. As soon as he began to write plays, he had new motives for study; for the subjects of the drama in vogue were often taken from classic story.

But Shakespeare enjoyed another source of gaining knowledge besides the study of books. When he reached London, five or six play-houses were in full activity, and new plays were produced every year in vast numbers. New plays were then in constant demand, just as the new novel and new daily or weekly paper are called for now. The drama was the periodical literature of the time. Dramatic authors wrote with wonderful rapidity, borrowing their subjects from plays already on the stage, and from classic or recent history. Marlowe, Greene, Lyly, Peele, Kyd, Lodge, Nash, Chettle, Munday, Wilson, were all dramatic writers before Shakespeare. Philip Henslowe, a manager or proprietor of the theaters, bought two hundred and seventy plays in about ten years. Thomas Heywood wrote a part or the whole of two hundred and twenty plays during his dramatic career. Each acted play furnished material for some other. They were the property of the play-houses, not of the writers. One writer after another has accused Shakespeare of indifference to his reputation, because he did not publish a complete and revised edition of his works during his life. How could he do this, since they did not belong to him, but to the theater? Yet every writer was at full liberty to make use of all he could remember of other plays, as he saw them acted; and Shakespeare was not slow to use this opportunity. No doubt he gained knowledge in

this way, which he afterward employed much better than the authors from whom he took it.

The first plays printed under Shakespeare's name did not appear till he had been connected with the stage eleven years. This gives time enough for him to have acquired all the knowledge to be found in his books. That he had read Latin and Greek books we are told by Ben Jonson; though that great scholar undervalued, as was natural, Shakespeare's attainments in those languages.

But Ben Jonson himself furnishes the best reply to those who think that Shakespeare could not have gained much knowledge of science or literature because he did not go to Oxford or Cambridge. What opportunities had Ben Jonson? A bricklayer by trade, called back immediately from his studies to use the trowel; then running away and enlisting as a common soldier; fighting in the Low Countries; coming home at nineteen, and going on the stage; sent to prison for fighting a duel—what opportunities for study had he? He was of a strong animal nature, combative, in perpetual quarrels, fond of drink, in pecuniary troubles, married at twenty, with a wife and children to support. Yet Jonson was celebrated for his learning. He was master of Greek and Latin literature. He took his characters from Athenæus, Libanius, Philostratus. Somehow he had found time for all this study. "Greek and Latin thought," says Taine, "were incorporated with his own, and made a part of it. He knew alchemy, and was as familiar with alembics, retorts, crucibles, etc., as if he had passed his life in seeking the philosopher's stone. He seems to have had a specialty in every branch of knowledge. He had all the methods of Latin art—possessed the brilliant conciseness of Seneca and Lucan." If Ben Jonson—a brick-layer, a soldier, a fighter, a drinker—could yet get time to acquire this vast knowledge, is there any reason why Shakespeare, with much more leisure, might not have done the like? He did not possess as much Greek and Latin lore as Ben Jonson, who, probably, had Shakespeare in his mind when he wrote the following passage in his "Poetaster":

> "His learning savors not the school-like gloss
> That most consists in echoing words and terms,
> And soonest wins a man an empty name;
> Nor any long or far-fetched circumstance
> Wrapt in the curious generalties of art—

> But a direct and analytic sum
> Of all the worth and first effects of art.
> And for his poesy, 'tis so rammed with life,
> That it shall gather strength of life with being,
> And live hereafter more admired than now."

The only other serious proof offered in support of the proposition that Lord Bacon wrote the immortal Shakespearean drama is that certain coincidences of thought and language are found in the works of the two writers. When we examine them, however, they seem very insignificant. Take, as an example, two or three, on which Judge Holmes relies, and which he thinks very striking.

Holmes says (page 48) that Bacon quotes Aristotle, who said that "young men were no fit hearers of moral philosophy," and Shakespeare says ("Troilus and Cressida"):

> "Unlike young men whom Aristotle thought
> Unfit to hear moral philosophy."

But since Bacon's remark was published in 1605, and "Troilus and Cressida" did not appear until 1609, Shakespeare might have seen it there, and introduced it into his play from his recollection of the passage in the "Advancement of Learning."

Another coincidence mentioned by Holmes is that both writers use the word "thrust": Bacon saying that a ship "thrust into Weymouth"; and Shakespeare, that "Milan was thrust from Milan." He also thinks it cannot be an accident that both frequently use the word "wilderness," though in very different ways. Both also compare Queen Elizabeth to a "star." Bacon makes Atlantis an island in mid ocean; and the island of Prospero is also in mid ocean. Both have a good deal to say about "mirrors," and "props," and like phrases.

Such reasoning as this has very little weight. You cannot prove two contemporaneous writings to have proceeded from one author by the same words and phrases being found in both; for these are in the vocabulary of the time, and are the common property of all who read and write.

My position is that if either of these writers wrote the works attributed to the other, it is much more likely that Shakespeare wrote the philosophical works of Bacon, than that Bacon wrote the poetical works of Shakespeare. Assuming then, as we have a right to do in this argument, that Shakespeare wrote the plays,

what reasons are there for believing that he also wrote the philosophy?

First. This assumption will explain at once that hitherto insoluble problem of the utter contradiction between Bacon's character and conduct, and his works. How could he have been, at the same time, what Pope calls him—

"The wisest, brightest, meanest of mankind"?

He was, in his philosophy, the leader of his age, the reformer of old abuses, the friend of progress. In his conduct, he was, as Macaulay has shown, "far behind his age—far behind Sir Edward Coke; clinging to exploded abuses, withstanding the progress of improvement, struggling to push back the human mind." In his writings, he was calm, dignified, noble. In his life, he was an office-seeker through long years, seeking place by cringing subservience to men in power, made wretched to the last degree when office was denied him, addressing servile supplications to noblemen and to the sovereign. To gain and keep office he would desert his friends, attack his benefactors, and make abject apologies for any manly word he might have incautiously uttered. His philosophy rose far above earth and time, and sailed supreme in the air of universal reason. But "his desires were set on things below. Wealth, precedence, titles, patronage, the mace, the seals, the coronet, large houses, fair gardens, rich manors, massy services of plate, gay hangings," were "objects for which he stooped to everything, and endured everything." These words of Macaulay have been thought too severe. But we defy any admirer of Bacon to read his life, by Spedding, without admitting their essential truth. How was it possible for a man to spend half of his life in the meanest of pursuits, and the other half in the noblest?

This great difficulty is removed if we suppose that Bacon, the courtier and lawyer, with his other ambitions, was desirous of the fame of a great philosopher; and that he induced Shakespeare, then in the prime of his powers, to help him write the prose essays and treatises which are his chief works. He has himself admitted that he did actually ask the aid of the dramatists of his time in writing his books. This remarkable fact is stated by Bacon in a letter to Tobie Matthew, written in June, 1623, in which he says that he is devoting himself to making his writings more perfect—instancing the "Essays" and the "Advancement

of Learning"—"by the help of some good pens, which forsake me not." One of these pens was that of Ben Jonson, the other might easily have been that of Shakespeare. Certainly there was no better pen in England at that time than his.

When Shakespeare's plays were being produced, Lord Bacon was fully occupied in his law practice, his parliamentary duties, and his office-seeking. The largest part of the Shakespeare drama was put on the stage, as modern research renders probable, in the ten or twelve years beginning with 1590. In 1597, Shakespeare was rich enough to buy the new place at Stratford-on-Avon, and was also lending money. In 1604, he was part owner of the Globe Theater, so that the majority of the plays which gained for him this fortune must have been produced before that time. Now these were just the busiest years of Bacon's life. In 1584, he was elected to Parliament. About the same time, he wrote his famous letter to Queen Elizabeth. In 1585, he was already seeking office from Walsingham and Burleigh. In 1586, he sat in Parliament for Taunton, and was active in debate and on committees. He became a bencher in the same year, and began to plead in the courts of Westminster. In 1589, he became queen's counsel, and member of Parliament for Liverpool. After this, he continued active, both in Parliament and at the bar. He sought, by the help of Essex, to become Attorney-General. From that period, as crown lawyer, his whole time and thought were required to trace and frustrate the conspiracies with which the kingdom was full. It was evident that during these years he had no time to compose fifteen or twenty of the greatest works in any literature.

But how was Shakespeare occupied when Bacon's philosophy appeared? "The Advancement of Learning" was published in 1605, after most of the plays had been written, as we learn from the fact of Shakespeare's purchase of houses and lands. The "Novum Organum" was published in 1620, after Shakespeare's death. But it had been written years before; revised, altered, and copied again and again—it is said twelve times. Bacon had been engaged upon it during thirty years, and it was at last published incomplete and in fragments. If Shakespeare assisted in the composition of this work, his death in 1616 would account, at once, for its being left unfinished. And Shakespeare would have had ample time to furnish the ideas of the "Organum" in the last years of his life, when he had left the theater. In 1613, he

bought a house in Black Friars, where Ben Jonson also lived. Might not this have been that they might more conveniently coöperate in assisting Bacon to write the "Novum Organum"?

When we ask whether it would have been easier for the author of the philosophy to have composed the drama, or the dramatic poet to have written the philosophy, the answer will depend on which is the greater work of the two. The greater includes the less, but the less cannot include the greater. Now the universal testimony of modern criticism in England, Germany, and France declares that no larger, deeper, or ampler intellect has ever appeared than that which produced the Shakespeare drama. This "myriad-minded" poet was also philosopher, man of the world, acquainted with practical affairs, one of those who saw the present and foresaw the future. All the ideas of the Baconian philosophy might easily have had their home in this vast intelligence. Great as are the thoughts of the "Novum Organum," they are far inferior to that world of thought which is in the drama. We can easily conceive that Shakespeare, having produced in his prime the wonders and glories of the plays, should in his after leisure have developed the leading ideas of the Baconian philosophy. But it is difficult to imagine that Bacon, while devoting his main strength to politics, to law, and to philosophy, should have, as a mere pastime for his leisure, produced in his idle moments the greatest intellectual work ever done on earth.

If the greater includes the less, then the mind of Shakespeare includes that of Bacon, and not the reverse. This will appear more plainly if we consider the quality of intellect displayed respectively in the drama and the philosophy. The one is synthetic, creative; the other analytic, critical. The one puts together, the other takes apart and examines. Now, the genius which can put together can also take apart; but it by no means follows that the power of taking apart implies that of putting together. A watch-maker, who can put a watch together, can easily take it to pieces; but many a child who has taken his watch to pieces has found it impossible to put it together again.

When we compare the Shakespeare plays and the Baconian philosophy, it is curious to see how the one is throughout a display of the synthetic intellect, and the other of the analytic. The plays are pure creation, the production of living wholes. They people our thought with a race of beings who are living persons, and

not pale abstractions. These airy nothings take flesh and form, and have a name and local habitation forever on the earth. Hamlet, Desdemona, Othello, Miranda, are as real people as Queen Elizabeth or Mary of Scotland. But when we turn to the Baconian philosophy, this faculty is wholly absent. We have entered the laboratory of a great chemist, and are surrounded by retorts and crucibles, tests and re-agents, where the work done is a careful analysis of all existing things, to find what are their constituents and their qualities. Poetry creates, philosophy takes to pieces and examines.

It is, I think, an historic fact, that while those authors whose primary quality is poetic genius have often been also, on a lower plane, eminent as philosophers, there is, perhaps, not a single instance of one whose primary distinction was philosophic analysis, who has also been, on a lower plane, eminent as a poet. Milton, Petrarch, Goethe, Lucretius, Voltaire, Coleridge, were primarily and eminently poets; but all excelled, too, in a less degree, as logicians, metaphysicians, men of science, and philosophers. But what instance have we of any man like Bacon, chiefly eminent as lawyer, statesman, and philosopher, who was also distinguished, though in a less degree, as a poet? Among great lawyers, is there one eminent also as a dramatic or lyric author? Cicero tried it, but his verses are only doggerel. In Lord Campbell's list of the lord chancellors and chief-justices of England, no such instance appears. If Bacon wrote the Shakespeare drama, he is the one exception to an otherwise universal rule. But if Shakespeare coöperated in the production of the Baconian philosophy, he belongs to a class of poets who have done the same. Coleridge was one of the most imaginative of poets. His "Christabel" and "Ancient Mariner" are pure creations. But in later life he originated a new system of philosophy in England, the influence of which has not ceased to be felt to our day. The case would be exactly similar if we suppose that Shakespeare, having ranged the realm of imaginative poetry in his youth, had in his later days of leisure coöperated with Bacon and Ben Jonson in producing the "Advancement of Learning" and the "Novum Organum." We can easily think of them as meeting, sometimes at the house of Ben Jonson, sometimes at that of Shakespeare in Black Friars, and sometimes guests at that private house built by Lord Bacon for purposes of study, near his splendid palace of Gorhambury. "A most ingeniously contrived

house," says Basil Montagu, "where, in the society of his philosophical friends, he devoted himself to study and meditation." Aubrey tells us that he had the aid of Hobbes in writing down his thoughts. Lord Bacon appears to have possessed the happy gift of using other men's faculties in his service. Ben Jonson, who had been a thorough student of chemistry, alchemy, and science in all the forms then known, aided Bacon in his observations of nature. Hobbes aided him in giving clearness to his thoughts and his language. And from Shakespeare he may have derived the radical and central ideas of his philosophy. He used the help of Dr. Playfer to translate his philosophy into Latin. Tobie Matthew gives him the last argument of Galileo for the Copernican system. He sends his works to others, begging them to correct the thoughts and the style. It is evident, then, that he would have been glad of the concurrence of Shakespeare, and that could easily be had, through their common friend, Ben Jonson.

If Bacon wrote the plays of Shakespeare, it is exceedingly difficult to give any satisfactory reason for his concealment of that authorship. He had much pride, not to say vanity, in being known as an author. He had his name attached to all his other works, and sent them as presents to the universities, and to individuals, with letters calling their attention to these books. Would he have been willing permanently to conceal the fact of his being the author of the best poetry of his time? The reasons assigned by Judge Holmes for this are not satisfactory. They are: his desire to rise in the profession of the law, the low reputation of a play-writer, his wish to write more freely under an incognito, and his wish to rest his reputation on his philosophical works. But if he were reluctant to be regarded as the author of "Lear" and "Hamlet," he was willing to be known as the writer of "Masques," and a play about "Arthur," exhibited by the students of Gray's Inn. It is an error to say that the reputation of a play-writer was low. Judge Holmes, himself, tells us that there was nothing remarkable in a barrister of the inns of court writing for the stage. Ford and Beaumont were both lawyers as well as eminent play-writers. Lord Backhurst, Lord Brooke, Sir Henry Wotton, all wrote plays. And we find nothing in the Shakespeare dramas which Bacon need have feared to say under his own name. It would have been ruin to Sir Philip Francis to have avowed himself the author of "Junius."

But the Shakespeare plays satirized no one, and made no enemies. If there were any reasons for concealment, they certainly do not apply to the year 1623, when the first folio appeared, which was after the death of Shakespeare and the fall of Bacon. The acknowledgment of their authorship at that time could no longer interfere with Bacon's rise. And it would be very little to the credit of his intelligence to assume that he was not then aware of the value of such works, or that he did not desire the reputation of being their author. It would have been contrary to his very nature not to have wished for the credit of that authorship.

On the other hand, there would be nothing surprising in the fact of Shakespeare's laying no claim to credit for having assisted in the composition of the "Advancement of Learning." Shakespeare was by nature as reticent and modest as Bacon was egotistical and ostentatious. What a veil is drawn over the poet's personality in his sonnets! We read in them his inmost sentiments, but they tell us absolutely nothing of the events of his life, or the facts of his position. And if, as we assume, he was one among several who helped Lord Bacon, though he might have done the most, there was no special reason why he should proclaim that fact.

Gervinus has shown, in three striking pages, the fundamental harmony between the ideas and mental tendencies of Shakespeare and Bacon. Their philosophy of man and of life was the same. If, then, Bacon needed to be helped in thinking out his system, there was no one alive who would have given him such stimulus and encouragement as Shakespeare. This also may explain his not mentioning the name of Shakespeare in his works; for that might have called too much attention to the source from which he received this important aid.

Nevertheless, I regard the monistic theory as in the last degree improbable. We have two great authors, and not one only. But if we are compelled to accept the view which ascribes a common source to the Shakespeare drama and the Baconian philosophy, I think there are good reasons for preferring Shakespeare to Bacon as the author of both. When the plays appeared, Bacon was absorbed in pursuits and ambitions foreign to such work; his accepted writings show no sign of such creative power; he was the last man in the world not to take the credit of such a success, and had no motive to conceal his authorship. On the

other hand, there was a period in Shakespeare's life when he had abundant leisure to coöperate in the literary plans of Bacon; his ample intellect was full of the ideas which took form in those works; and he was just the person neither to claim any credit for lending such assistance nor to desire it.

There is, certainly, every reason to believe that among his other ambitions, Bacon desired that of striking out a new path of discovery, and initiating a better method in the study of nature. But we know that, in doing this, he sought aid in all quarters, and especially among Shakespeare's friends and companions. It is highly probable, therefore, that he became acquainted with the great dramatist, and that Shakespeare knew of Bacon's designs and became interested in them. And if so, who could offer better suggestions than he; and who would more willingly accept them than the overworked statesman and lawyer, who wished to be also a philosopher?

Finally, we may refer those who believe that the shape of the brow and head indicates the quality of mental power, to the portraits of the two men. The head of Shakespeare, according to all the busts and pictures which remain to us, belongs to the type which antiquity has transmitted to us in the portraits of Homer and Plato. In this vast dome of thought there was room for everything. The head of Bacon is also a grand one, but less ample, less complete—less

"Teres, totus atque rotundus."

These portraits therefore agree with all we know of the writings, in showing us which, and which only, of the two minds was capable of containing the other.

JAMES FREEMAN CLARKE.

PARTISANSHIP IN THE SUPREME COURT.

MR. WHYTE, of Maryland, has drawn the attention of the country to a subject that has been too long neglected, by a joint resolution, read in the Senate, to amend the Constitution of the United States so as to fix permanently the number of judges of the Supreme Court.

The number of the judges of that court is not prescribed in the Constitution. Indeed, no reference is made to the question whether the court is to be composed of one or more judges, except in the sixth section of the third article, in which the "Chief Justice" is required to preside on the trial of an impeachment of the President of the United States. If it had been intended that the Supreme Court might be composed of a single judge, the office of Chief Justice would not have been mentioned *es nomine*.

The framers of the Constitution were very trustful of the patriotism and political integrity of the future generations of the American people. More so, indeed, than their conduct has justified. In leaving this great department to be supplied with such officers as the President should appoint, "by and with the advice and consent of the Senate," there was a most forcible declaration that the officers and department are not representatives of the people, in the common acceptation of the word. The courts do not represent the people as legislators: they judge between them. The life tenure of the judicial office removes them from all direct responsibility to popular will. The only power over the judges that is reserved, in any form, is the power of impeachment, which is conferred by the Constitution upon the House of Representatives, and the jurisdiction to try the impeachment, which is conferred upon the Senate. Two-thirds of the members of the Senate present must concur in a judgment of

conviction before the impeached judge can be removed and disqualified from holding office. This is as far as the people have any control of the conduct of the judges, either directly or indirectly, except to provide, through their representatives, laws for the further punishment of their offenses; but these are to be tried by the judiciary. It is needless to argue that the purpose of this strictly guarded sanctity and immunity of the judiciary is to secure its independence of the people.

The independence of the judiciary, when coupled with the supremacy of their power, and the inviolability of their decrees in the field of jurisdiction assigned to them, seems almost to lift them to a height of authority that is too autocratic for harmonious companionship with the other departments of a republican government. But these high powers conferred upon the judiciary are of the very essence of free government, because they are necessary to give practical force and effect to the laws which they themselves establish. It behooves a free people that their judges should be above the "influence of fear, favor, affection, reward, or the hope thereof," so that justice shall not be denied to the poor or the humble man, or sold to the rich; and that it be not biased by the hope of favor, or the fear of giving offense to popular sentiment, or political power.

Having, of necessity, placed our judicial department on this high plane, and being powerless to control it, as we can control the other departments of the government, by the direct influence of popular will expressed in elections, we have no effectual means of preserving its purity, or of restraining it from the exercise of an arbitrary power within its own limits of jurisdiction. The almost ineffectual power of impeachment is a poor remedy for judicial abuses. In Judge Peck's case, the House of Representatives impeached him of a high misdemeanor in office, without one dissenting voice, but the Senate refused to convict him. Without intimating that either of the Houses was at fault in the matter, this precedent is a very clear proof of the weakness, the nothingness, of the strongest current of popular opinion, when it is directed to the removal of a judge from office.

Being compelled to give to the judiciary the highest powers, and to retain the least possible control over the judges and the courts, for the sake of having a supreme and independent arbiter of justice in our free system of government, we cannot be too watchful of the moral forces that we may employ in guarding

the purity of the bench, or too jealous of evil influence in the selection of men who are to fill these high offices.

Mr. Whyte's proposed amendment of the Constitution goes to the bottom of the subject, or as near to it as we can get, when it proposes to deprive Congress of the power to increase or diminish the number of the judges of the Supreme Court at its pleasure.

It would, perhaps, improve the proposed amendment if it was made the duty of Congress, when necessity requires, to increase the number of judges above a fixed basis, in ratable proportion to the increase of our population and the number of States in the Union; but this has nothing to do with the principle involved. Mr. Whyte gives the following brief history of the changes we have made in the numbers of the judges of the Supreme Court:

"The instability of the present method of fixing the number of judges is made manifest by a brief review of the course of legislation on the subject since the establishment of the court.

"By the original act of 1789, the Supreme Court was to be composed of six judges; in 1801, an act was passed providing that the number should be reduced to five on the first vacancy, but this act was repealed in 1802.

"In 1807, an act was passed providing for an additional associate judge. By the act of 1837, the number of associate judges was increased to eight, and by act of 1863 to nine, and that act provided that the Supreme Court of the United States shall hereafter consist of a Chief Justice and nine associate justices.

"The act of 1866 reduced the number of the whole court from ten to seven, while the act of 1869 fixed the court as consisting of a Chief Justice and eight associate judges.

"With this changing composition of the court, the time may come when the confidence of the people in this great tribunal may be shaken.

"In a popular government like ours, care should be taken in every part of the system, not only to do right, but to satisfy the community that right is done."

There was scarcely an instance in this curious legislative history relating to the Supreme Court where the reduction or increase of the number of judges was not directly the result of an effort to secure a well-defined and clearly understood purpose of political strategy. In some instances the identical purpose of the change was too obvious for concealment, and the expected decision of the majority of the court followed the change too closely to leave a doubt of the purpose.

Within a few years after the organization of the Supreme Court, the rival political parties of the country began to claim it as a right, and to urge it as a party duty, to put judges on the

bench who were decided, able, and zealous in their support of party measures and party declarations of political principles. It would be very difficult, in recent times, to cite a single exception to this rule. It has now become as positively established as that the President will select his cabinet from the party that elected him, and there is little hope that this rule will ever be changed.

This is a dangerous movement against the independence of the bench, and a fearful temptation to its integrity. When this practice first demanded tolerance from the people, the evils that were to follow were not so apparent as they are at this time. Then the rival political parties more frequently alternated in the control of the government; and the appointments to the bench were more evenly balanced between them. The life term of these offices also prevented the evil of sudden changes in the incumbency, to correspond with the changing fortunes of political parties. But the causes that then reduced the evils of a pernicious principle to a minimum, now operate to increase those evils into a serious danger to the country. The civil war excluded one-half of the country from representation on the bench; the life tenure of the judges makes them permanent in office; the President appoints only such as are fixed and immovable in their party relations; and Congress increases or reduces the numbers whenever it may be necessary to obtain the judicial sanction of such measures as may be desired to perpetuate the power of the party in authority. Congress and the President, acting together for the purpose of building up and confirming the strength of a party, have taken control of the Supreme Court, and will only permit such men to sit upon that bench as will make it their business to keep in line with and sustain all great party movements.

It is at this point, and in this way, that the independence of the bench is to be destroyed; and with the loss of its independence, its impartiality must be lost and its purity tarnished.

Some very corrupt men have been independent and impartial judges, and some very pure men have been servile slaves on the bench. Whether pure or corrupt in his personal character, the independent and impartial judge is much safer than a cowardly suppliant for party favors.

Mr. Whyte has taken the first necessary step in protecting the independence of the bench, by his proposition to cut off the power of Congress to increase the number of judges whenever

certain men are to be rewarded for party services, or certain questions are to be decided a certain way by a packed court, in order to sustain a party in measures that are designed to give it power and perpetuity in control of the government.

He has gone as far, perhaps, as it is possible to go with positive measures in this direction. The rest must be left to the President and the Senate, and to the moral force of the people.

The present time is a great epoch in the history of the Supreme Court. Within a period of six months, it is more than probable that four of the judges will have retired from the bench. Two of them are now the oldest and most distinguished men of that great tribunal.

One of the vacancies has been filled in strict accordance with the idea that the bench must be occupied by those alone who "belong" to the Republican party. It is not expected that the remaining places will be filled with any other than the ablest, wisest, most faithful, and most zealous members of that party. The President would sadly disappoint four million five hundred thousand people if he should select even one of the judges from the body of the other four million five hundred thousand people who vote the Democratic ticket. Or if the Senate, which is Democratic, and is likely to remain so for four years, or longer, should decline to "advise and consent" to the exclusion of all Democrats from the bench, the men who compose the Republican party will probably consider that it was an act of revolutionary hostility to the government.

Assuming, therefore, that the President will nominate only Republicans to the Supreme bench, and that the Democrats will consider it their duty to advise and consent to such selections out of mere deference to the President, we will, within six months, have a bench of eight Republicans and one Democrat, and after that we shall be silenced in the Supreme Court, as we will be ignored in the Senate, if, in the providence of God, one of the judges or either of four senators should be removed.

However good, or learned, or great these four new judges may be, there is not one of them who will be permitted to feel that his elevation to the bench is due alone to his superior qualifications of integrity, learning, and abilities. They will know that each of the four men is not greater, or better, or wiser than all the men in the Democratic party who are qualified for such places, and they will feel the full weight of the fact that their

selection is really owing to their fidelity to the Republican party. Going upon the bench with this conviction, they will be more than men if they maintain perfect independence of thought and impartiality of judgment.

It is supposed, or rather it was supposed, that a man who has been raised to the Supreme bench would be free from all temptation to decide questions in accordance with the expectations of his political associates.

This may yet be true in point of fact, but such is not the opinion of the people. In other days, as well as in this day, they have gravely suspected the bench. The Dred Scott decision, the Legal Tender cases, the decisions of the Electoral Commission, and the cases construing the election laws, and the right to punish State judges for obeying constitutional State statutes, have, in their turn, greatly impaired the confidence of many people in the independence of the judges of the Supreme Court.

This is a deplorable fact, and it may be discreditable to the people, but the fact would never have been possible if the people had not known that the Supreme bench had been used by politicians as a means of dispensing rewards for political services.

It is natural to expect a grateful return for great favors, and there is disappointment when it is withheld. Congresses, and Senates, and Presidents have used the Supreme bench as constituting a part of the political machinery of the great parties of the country, and the people have naturally expected that such a course would lead to the worst possible results.

There is no constitutional barrier to the aspirations of the judges to political power. When the judges of the Supreme Court decide questions that affect the prospects or places of political parties, they are at once open to the suspicion that they are influenced by personal considerations, or that they are serving their party on the bench.

This is not the fault of the people. It is the fault of a loose system of constitutional provision to control the number of the judges, and of a vicious practice in making appointment that fails to protect them against temptation. The Constitution should provide, and public opinion should earnestly support the provision, that a judge, appointed for life, should be consecrated for life to the service of the country only in a judicial calling. They are not thus consecrated to this high calling, but while on the bench they continue to be politicians, and are frequently drawn

into political controversies that impair their influence and characters as judges.

The service of the judges of the Supreme Court upon the Electoral Commission, without reference to the side on which they aligned themselves, was the most injurious misfortune that ever befell the bench. Since that event, no American citizen has had a doubt that the judges would stand by their party in every question that would materially affect its success.

So long as it is the undeviating practice to appoint judges who are distinguished for their fidelity and activity in party service, rather than for the qualities that enable them to rise above the demands of a party, and to do impartial justice to all men of all parties, it is not to be expected that the decisions of the courts will receive that respect and reverence from the people which are so essential to the peace, honor, and welfare of the country.

Such a policy in reference to judicial appointments keeps the judges always in the presence of temptation. The people witness the fact, and naturally attribute to the influence of temptation what may be a pure and disinterested act. They see the whole political power of the country concentrated on the effort to secure a political judiciary that will be under party control, and when it is accomplished, they are ready to regard the bench as merely a part of a great political machine.

The dangers of a political judiciary to the liberties and lives of the people are fearful to contemplate.

The bloody assizes in England, in the reign of James II., were the result of the employment of the judiciary to execute the will of a politician.*

Nothing was ever so fierce, cruel, and unrelenting as a judge who sets out to serve a political master. Secured from all personal danger by the sacredness of their offices, and having the power to condemn people to death who are, under our laws, even denied the right of appeal from their decision, judges who are the servants of a political party are more to be dreaded than war, famine, or pestilence in a country.

Every patriotic heart must constantly utter the prayer that

* "The Chief Justice's campaign in the west," as his cruel master called the bloody progress of Jeffreys, was only a less mild, but not a less political, campaign than some judges have prosecuted here, at the behest of a political party.

God will deliver our country from such evil, and yet every political agency is as constantly at work to produce this evil.

In every State, and in the federal government, in all appointments to judicial offices, from a justice of the peace to the Chief Justice of the United States, the political departments claim the right to fill the judicial departments with their henchmen. There is scarcely an exception that can be named.

All the other departments are allowed to appoint their own servitors and inferior officers, but the political departments exclude the judiciary from this privilege, except as to the clerks of the courts. They retain the power to appoint and remove at pleasure the district attorneys, and the marshals of the courts, who in turn appoint their deputies and bailiffs. Under such conditions the judges, whether State or federal, must be, and are, the mere dependencies of the political departments, and it is a marvel that they have any remaining sense of their independence, and of the dignity of their offices.

Their independence of party control, in questions of political character, is almost destroyed, and it is for this reason that every judgment they render in such cases is censured as a corrupt act by one party, or denounced as treason to party faith by the other. Whether their judgments are just or unjust, the people trace them back to the causes which led to the appointment of the judges, and approve or condemn them accordingly. This appears to be an extremely unjust attitude in which the people are found with reference to the judges, but that it is generally true is quite beyond denial; and a brief allusion to the facts which have forced them into this unhappy conviction will tend strongly to justify the opinions they have formed. With very few exceptions, if indeed there are any exceptions, all the judges who have been appointed to the federal bench since 1865 have been members of the same political party. And so it has been with reference to the district attorneys and marshals. The most assiduous care has been taken to keep the entire judicial department in the control of the Republican party, and it has been the most faithful and efficient agency that party has ever employed to conduct its political movements. It has taken charge of elections, and to carry them has terrorized communities and States, as well as individuals. It has issued decrees to disband legislatures, and to organize others, and has summoned the army and navy to execute its orders.

This rigid policy of excluding Democrats from all places connected with the judicial administration of the laws, shows that it is only the success of the opposing party in holding on to power that is sought to be secured in the appointment of the judges. The settled determination of the political departments is to rule in and over the judiciary with severe and unrelenting control.

That great conservative department in every State, and in the federal government, without which, as an independent department, those governments would not be republican even in form, is made the facile subordinate of the political departments, whose history is filled with crime and debauchery.

The department which was created for the purpose of expounding the laws and the Constitution; whose jurisdiction is expressly extended "to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made, or which shall be made under their authority . . . to controversies to which the United States shall be a party," and "to controversies between two or more States"; and to which is intrusted the whole "judicial power of the United States," has been brought into such subjection to the political departments that all its officers are expected, and by no means in vain, to follow the politicians in every exposition of the Constitution which they may adopt in their party platforms. That department which is highest in rank and dignity, if one is higher than another, which was created to control and keep in check the other departments whenever they might invade the liberties of the people or the rights of the States, is required to give pledges, which, if they are not formally made, are considered more binding because they are given in silent confidence, that it will receive its construction of the laws and of the Constitution from the party that has elevated its members to the bench.

This is the only possible theory on which the demand for a political judiciary can be founded, and in practice this theory is almost uniformly upheld. The Republican lawyer who aspires to the bench presents as the basis of his claim the credentials of strict and life-long party fealty. When his credentials are approved, his character and abilities are then considered.

The district judge or circuit judge who aspires to the position next above him, refers the President and Senate to the records of his courts to prove that he has never made a decision which presumed to question the constitutionality of an act of Congress

enacted by his party as a party measure; that he has seldom failed to convict a Democrat of a political offense, and has found little or no reason to inquire whether similar offenses have been committed by Republicans; that he has appointed commissioners of bail, and kept them in office, who have used their powers for the purposes of advantage to their party, while they have robbed the treasury of vast sums of money in bills of costs and expenses incurred in the abuse of their jurisdiction; that he has selected partisan supervisors of the elections, and has witnessed the most intolerable oppressions of the people at their hands, under color of such appointments, without its having excited the court even to a mild reproof of their conduct; that he has decided civil causes, and then cut off the right of appeal, by arbitrary rulings, to protect his decisions from review; that he has convicted hundreds of men through verdicts of juries which he knew were selected only to convict in every criminal case that related to political offenses, and has inflicted severe punishments under such conditions when the defendants had no right of appeal, and no other means of redress. If such an aspirant can prove that he has acted judicially on the presumption that every man opposed to the party in power, who is accused of a political offense, was guilty, and was accordingly punished, he has a claim to the office which the political departments of the government will be only too willing to recognize. It is not pretended that the same results would not follow if the Democrats were in power for so long a time as to place the entire personnel of the judiciary under their control. The evil which justice so urgently requires to be remedied is in the doctrine, which is so closely followed in practice, that appointments to the bench must be made alone from the party in power in the government. When the district, and circuit, and supreme courts are all filled up with men from either of the great political parties, the foundations are completed upon which absolutism in government will be established forever. There will be no man on the bench who will venture to differ with his colleagues in upholding a partisan construction of the Constitution or laws. The harsh voice of remonstrance, or of dissent, will no longer disturb the quiet but deadly whisperings of absolute power in the temples of justice. The Constitution thus construed will continue to be the supreme law of the land, and none must venture to be so bold as to question the construction. If the party in power in Congress, and in

the executive department, should say that the republic has become "the nation," and the same party in power in the Supreme Court should answer "yea and amen," then the States and the people who cast half of the entire vote of the country will be required to "accept the situation." If the next step should be that the nation is declared "the empire," it is still the declaration of the supreme law of the land, and the people and the States can only say, "So mote it be."

To place the federal judiciary entirely under the control of one political party in the country is an almost irrevocable step in the direction of absolute government. It will be to establish the initial declaration of that movement which looks to the complete centralization of all power in the federal government, that the laws of Congress within its jurisdiction are supreme under the Constitution, and that Congress has the power to declare and to settle by its edict what are the limits of that jurisdiction. The federal judiciary can only be the conservative and balancing power between the other departments of the government, and the States, and the people that it was intended to be, when it is so far the departmental representative of the people of the entire country that it cannot be justly regarded as the representative of only one of the great political parties into which the people are or may be divided. If one-half of the people of the United States are to be denied all recognition in appointments to the bench, not upon the ground that the judiciary is not a representative department, but on the ground that it must only represent the party in power, then we should at an early day amend the Constitution so that Congress should have less power than it now possesses to change the majority of the bench, and thereby to secure such decisions from the Supreme Court as will suit the purposes of the politicians.

JOHN T. MORGAN.

THE MOON AT ITS RISING.

HELIOTYPE PRINTING CO., BOSTON.

THE RUINS OF CENTRAL AMERICA.

PART VI.

THE village of Comalcalco, the next scene of our labors, is in the State of Tabasco, lying thirty-five or forty miles to the northwest of San Juan Bautista, the State capital. We reached this place on the 12th of November, and that same day, in the company of the Gefe Politico and a few of his friends, I paid a visit to the neighboring ruins. Here we found no longer simple pyramids but veritable *mountains (cordilleras)* of ruins, overgrown with a luxuriant vegetation, through which it is impossible to make your way except with the aid of the *machete*.

The only one of the pyramids which I climbed, for the purpose of making a rapid survey of the ground, is situate about two miles to the east of the village, on the right bank of the Rio Seco. The first ruin that attracted my notice was a square tower, surmounted by a gigantic tree, like the famous tower of Palenque. To the north of this is a great edifice, consisting of two parallel halls. Here again we are reminded of Palenque, but this building is much larger than any in that place; besides, it has *three square windows*, whereas the buildings at Palenque have none. Farther on we see the remains of some enormously massive walls, consisting of very thin red bricks, with a layer of mortar more than twice their thickness between the courses. So much I was able to note in one half-hour: we were then compelled to return to the village, as it was night-fall. I have received information of other ruins to the west of the village, where are to be seen large sculptured stones. The abundance of ruins is no surprise to me, for I was already aware that the whole State of Tabasco and a part of Chiapas are covered with ruins; and I brought upon myself no little ridicule by asserting as much after my first expedition. I maintained then that Palenque was no such vast city as it was commonly supposed to have been, but rather a

great religious center. I had at hand the proofs of this assertion, but I discreetly withheld them at that time. To-day, facts are confirming me, and I am in hopes of yet finding something more notable even than Comalcalco, which itself was a more considerable place than Palenque, albeit the ruined condition of its structures will prevent it from attracting so much attention as the latter place.

November 15th.—During the past night the wind was from the north, and, as usual in this latitude, brought in its train a heavy rain-fall. No work can be done for the three days that the storm is expected to continue. I was misinformed before I came here about the dry and wet seasons of Tabasco. The rainy season proper extends only from June to the end of October, but then come the northers, lasting for one, or three, sometimes for fifteen days, and invariably attended by heavy rains. I spend this time of enforced inaction in conversing with the natives and learning their traditions. One landed proprietor informed me that on his estate he had counted more than three hundred pyramids, all of them covered with ruins! This region must at one time have contained a very large population. At Blasillo, fifty or sixty miles to the west, are some architectural remains in a better state of preservation than those of Comalcalco.

When the Spaniards skirted the coast of Tabasco on their first expedition to Yucatan, they saw on the shore and far in the interior a multitude of structures whose white and polished walls glittered in the sun: their crumbling remains are to-day found everywhere throughout this region, from the coast up to the mountains of the interior. In architecture and in decoration they are allied to the edifices of Yucatan, or, rather, the latter are allied to them, for I hold the Tabasco monuments to be the older of the two. The materials employed are different,—here bricks, there stone,—but we recognize in both regions the same civilizing force, the same directing genius, acting upon distinct races, amid different environments. Now this civilizing force, this directing genius, must have come from the Toltecs. If this is so, then we have a date fixed in the history of these Tabasco monuments. It is certain that the Toltecs quit the elevated plains of Mexico in the eleventh century—in 1032 according to Clavigero, a little later according to Veytia. They migrated southward by two routes, one on the Pacific side, the other along the shore of the Gulf. The Pacific division reached Guatemala by the way of Oaxaca

and Tehuantepec; the Gulf division occupied Yucatan, passing through Tabasco. The envoys of Xolotl, king of the Chichimecs, who were the successors of the Toltecs on the Mexican plateau, found them settled and prosperous in Guatemala and Yucatan in 1120. That pacific race which, according to Landa and Cogolludo, invaded Yucatan from the north and the west, civilizing without arms, and persuading without terror, can have been no other than the Toltec; in Java we see a like pacific conquest achieved by the Buddhists. It was with the assistance of the conquered populations,—populations that must have numbered many millions,—that they erected the monuments which are now engaging our attention.

But whence came those earlier populations? Had not America its genesis like the Old World, and the same genesis, too? And are there not theories in abundance to account for this multitudinous population? Besides the autochthonic race, there may have been accessions from other races, emigrations from the north, vessels carried hither by storms, shipwrecks, etc. I hope yet to be able to prove that in Central America various influences have met, especially those of Japanese and Polynesian origin, for we find here the architectural styles and the decorative *motifs* of both. The Toltec knew how to group all these elements,—here adopting the language of the country, there modifying his own architecture, but everywhere leaving his literature, his religion, his astronomy, and many of his customs.

To sum up, we assert that these monuments are Toltec, that they are modern, and that the most ancient of them are not more than eight centuries old. We might add—though this is not history, but simply hypothesis—that the Toltecs may have been preceded here by the Olmecs and the Otomies, other branches of the same family; in that case, the Toltecs would find the field ready for them.

But, aside from this not improbable hypothesis, it is no matter of astonishment that a people possessed of such gifts should have succeeded in establishing in Guatemala, Yucatan, and Tabasco the civilization of which we are now discovering the remains. Had they not in the space of three centuries covered the whole plateau of Anahuac with their cities and their monuments? Was it not easy for them, then, with more abundant means and with a more numerous population, to erect like monuments and to establish a higher grade of civilization in a new country which

they occupied for upward of four centuries—in fact, we might say down to the conquest?

November 16th.—The rain ceased only at noon to-day. The twenty-five Indian laborers went out to the ruins in the morning, but when we arrived they had only cleared away the rubbish from the base of the pyramid, and done but little work on the platform. Hence it was impossible to take any exact measurements of the ruined buildings. I entered the lower story of the tower already mentioned. I also discovered another tower. The lower story of each is under-ground, and I entered both. The four walls come nearer and nearer to one another as they rise, forming a sort of vault by their gradual approximation. Bricks of larger size cover the summit of the vault.

November 17th.—We are here in a singular country, where laborers take life easy. I have at work to-day twenty-five men, to whom I pay thrice as much as I did to the Indians of the high plateaus, yet these do not one-fourth as much work. There is no help for it, for the simplest remark pronounced with the air of authority would provoke a mutiny. They are all blood relations of one another, or at least related by affinity, and if you discharge one you discharge all. The boss, who is supposed to control them, never speaks to them except with the utmost deference. On calling his attention to the fact that in the force of twenty-five laborers there are some mere boys, who, of course, cannot do the work of men, I was requested to tell them myself, for he did not dare to undertake so delicate a commission.

To-day I visited a group of three pyramids to the north of the great pyramid already mentioned. The larger one of this group is thirty-five to forty feet high, and the smaller ones from twenty to twenty-five feet. I had heard these pyramids spoken of frequently, but on none of them did I find anything but shapeless ruins. As for the bricks used in constructing the buildings, they are of all sizes, from 5.9 to 9.8 inches in length. The largest bricks, designed for use in corners, and for other purposes, measure some 16.5 inches long, 12.59 inches wide, and 1.18 inches thick; others 23.62 inches long, 15.75 wide, and 1.77 thick. On the large pyramid I found two bricks, one bearing the profile of a man with feather ornaments on his head, the other a number of concentric circles.

The laborers have now cleared a portion of the platform of the great pyramid. In doing this, they had to cut away a dense

growth of brush-wood and to fell a number of large trees. This pyramid is 115 feet high at its highest point. The buildings upon it are, an immense palace, some 250 feet long, with perfect orientation, the front looking eastward, and the two ends toward the north and south; a rectangular tower to the south of the palace, and another tower of the same shape to the west. They both stood on platforms. This palace forcibly reminds me of the Governor's palace at Uxmal; it is not quite so long, but very nearly as high; and though it is built entirely of bricks and mortar, it must have been covered with ornaments in stucco. This decoration must have been very effective if we are to judge by the scattered pieces of it I have found, and more especially by the fragments of inscriptions, which remind me of those of Yucatan.

Only two chambers remain standing, but these suffice to show a striking resemblance to the buildings at Palenque; and we possess indicia enough to enable us to construct the general plan of the edifice.

That these monuments are of Toltec origin we have the best grounds for believing, although they differ entirely from the buildings on the high plateaus. As was remarked when we were considering the ruins of Tula, the Toltecs were eclectic, and used the materials that happened to be accessible—stone, mortar, bricks, clay, wood. Hence they were prepared for every transformation, and their genius could adapt itself to every mode of construction. We see them employing stone at Mitla; among the Zapotecs, mud mixed with stones, with a facing of bricks forming arabesques; while at Mt. Alban they inaugurated the construction of the *boveda*, that bastard vault of which we have examples here and elsewhere. We see them, on the coast, constructing their pyramids and their edifices of shells, with a few bricks. As they penetrated into the interior, they employed bricks and mortar; but at Palenque, where stone is abundant, they adopted that material, and covered their monuments as well as their streets with the famous cement the secret of which they possessed. In Yucatan, where limestone is very plentiful, they gave up the use of cement for ornamentation, and we have edifices such as are seen at Chichen, Uxmal, etc. Here at Comalcalco I find, in the path leading to the ruins, pieces of cement, the remains of the original pavement.

November 18th and 19th.—Two days of heavy rain; no work done. My *papier maché* casts of sundry ornaments and inscrip-

tions I have placed under shelter, and will have them dried there by artificial heat.

November 20th.—Though the weather is not fair, still work might be done to-day, but the men are unwilling. Fortunately, the ruins are not such as to involve any very extensive excavations, for what with the laziness of these Indians and the difficulty of engaging their services, nothing of importance could have been done.

November 21st.—Though it is Sunday, I have done a fair day's work to-day. I made four photographs of the ruins, viz.: one of the portion of the palace which is still standing, two of the tower to the south of that edifice, and one of a fragment of an inscription. Further, I found amid the rubbish at the tower which lies to the west of the palace a fine bass-relief, badly damaged, it is true, yet presenting a superb figure of a man,—the trunk, one thigh, and a portion of the arms and of the head. This bass-relief will bear comparison with the bass-reliefs of Palenque.

The palace, like the Casa del Gobernador at Uxmal, consists of a double row of chambers, and its length is 234¾ feet. The walls were 10.9 feet high, and supported a very prominent cornice, like those at Palenque. The roof rose obliquely, and here, too, we have Palenque repeated. The walls, so far as we can learn from the ruins, were covered with a smooth coat of cement; and I am of the opinion that the many pieces of cement molded into ornamental forms which we have found belonged to the cornice. As at Palenque, the steep roof was covered with ornament, of which only shapeless fragments remain.

The width of the edifice, the walls included, is 24.7 feet; the width of each chamber is 7½ feet, and the thickness of the walls 3.6 feet. The total height of the middle wall is 23.9 feet.

The section of the double row of chambers which is still standing is only 24 feet in length. Soon this great monument will be all reduced to a heap of shapeless ruins.

As I have already remarked, all the buildings at Comalcalco were constructed of bricks and mortar,—bricks of all sizes, separated by layers of mortar of greater thickness than themselves. The central wall, which sustains almost the entire weight of the roof, begins to widen after it reaches the height of the cornice, till it attains the sloping roof at its widest point. It is enormously massive, occupying precisely one-half of the building's total width.

This palace had windows, though nowhere else among these American ruins have I seen any of these openings. There is one window in that portion of the building which still stands: in form it is a parallelogram, and its height is 5.9 feet. In a portion of the wall, toward the center of the façade, there are three other windows near together, of the same shape and size.

Judging from what I have seen of similar monuments at Palenque and in Yucatan, I should say that the chambers must have been not more than 30 feet in length, and thus there would be seven double compartments communicating by interior door-ways. As at Uxmal, the only chambers that had openings to admit the outer air and light were those in the front, facing the east.

The end wall on the south has fallen; of the north wall a part is standing. Furthermore, this latter wall is still covered with the reddish-yellow paint with which it was decorated.

At the distance of 36 feet to the south-east of the palace is tower No. 1, standing on a platform of cement. It measures 26½ feet on the north side by about 30 feet southward, but the latter measurement is only an approximation, for on the south side both platform and walls are in ruin.

This oblong tower had three stories. There is no sign of a stair-way. But the dimensions of the portions which remain, namely, the second story, and the first, which is now underground, show that there must have been a platform at the height of the second story, and that the three stories formed a square tower in four compartments, the dimensions of which for the parts which remain are as follows: Walls of the tower, 2.29 feet thick. First interior chamber 5.57 feet square. Second chamber, forming a sort of veranda, with pillars instead of walls on the west side, 5.41 feet square. The pillars were 37.4 inches square; only one of them remains.

Beneath the second story, completely covered with rubbish, but accessible through a narrow opening, is a chamber, 7.87 feet long by 4.92 feet wide. The *boveda* roof is very steep, while the roof of chamber No. 1, in the story above, is more vault-like. The ornamentation of this tower must have been very elaborate, to judge from the fragments which I have found.

Tower No. 2 stands at the distance of 33 feet to the west of the palace. Its dimensions were the same as those of No. 1. It

was in an under-ground chamber of this tower that I found the bass-relief already described.

This figure, modeled in cement, is less rich in ornamentation than the bass-reliefs of a like character found at Palenque. The body is naked, save that it has a rich belt, an ornament around the leg, and a necklace. It is larger than life-size.

November 22d.—We are still exploring the summit of the great pyramid, and have discovered there other heaps of ruins, but absolutely shapeless and covered with vegetable mold. I am daily receiving information about the ruins scattered all over the State of Tabasco, hidden in the forests. Places like Comalcalco are numerous—great centers of population in former times. The imagination fails to realize the vast amount of labor it would involve to explore even a tithe of these ancient sites. These *Cordilleras* of Comalcalco—these mountains of ruins—extend over twelve miles. We still see the hollows in the ground whence the soil was taken for the construction of these pyramids. But they did not consist merely of clay; bricks, too, entered into their construction, and there were strengthening walls to make them firmer. These structures are more wonderful than the pyramids and the other works at Teotihuacan, and they far surpass the pyramids of Egypt. We can easily believe the assertion of Cortez, that three days after his arrival in this region he had opposed to him an army of more than 80,000 men.

DÉSIRÉ CHARNAY.

THE POETRY OF THE FUTURE.

STRANGE as it may seem, the topmost proof of a race is its own born poetry. The presence of that, or the absence, each tells its story. As the flowering rose or lily, as the ripened fruit to a tree, the apple or the peach, no matter how fine the trunk, or copious or rich the branches and foliage, here waits *sine qua non* at last. The stamp of entire and finished greatness to any nation, to the American Republic among the rest, must be sternly withheld till it has expressed itself, and put what it stands for in the blossom of original, first-class poems. No imitations will do.

And though no *esthetik* worthy the present condition or future certainties of the New World seems to have been even outlined in men's minds,* or has been generally called for, or thought needed, I am clear that until the United States have just such definite and native expressers in the highest artistic fields, their mere political, geographical, wealth-forming, and even intellectual eminence, however astonishing and predominant, will constitute (as I have before likened it) a more and more expanded and well-appointed body, and perhaps brain, with little or no soul. Sugar-coat the grim truth as we may, and ward off with outward plausible words, denials, explanations, to the mental inward perception of the land this blank is plain. A barren void exists. For the meanings and maturer purposes of these States are not the constructing of a new world of politics merely, and physical comforts for the million, but even more determinedly, in range with science and the modern, of a new world of democratic sociology and imaginative literature. If the latter were not carried out and established to form their only permanent tie and hold, the first-named would be of little avail.

* In 1850, Emerson said earnestly to Miss Bremer, in response to her praises: "No, you must not be too good-natured. We have not yet any poetry which can be said to represent the mind of our world. The poet of America is not yet come. When he comes, he will sing quite differently."

With the poems of a first-class land are twined, as weft with warp, its types of personal character, of individuality, peculiar, native, its own physiognomy, man's and woman's, its own shapes, forms, and manners, fully justified under the eternal laws of all forms, all manners, all times.

I say the hour has come for democracy in America to inaugurate itself in the two directions specified,—autochthonic poems and personalities,—born expressers of itself, its spirit alone, to radiate in subtle ways, not only in art, but the practical and familiar, in the transactions between employers and employed persons, in business and wages, and sternly in the army and navy, and revolutionizing them.

I find nowhere a scope profound enough, and radical and objective enough, either for aggregates or individuals. The thought and identity of a poetry in America to fill, and worthily fill, the great void, and enhance these aims, involves the essence and integral facts, real and spiritual, of the whole land, the whole body. What the great sympathetic is to the congeries of bones and joints, and heart and fluids and nervous system, and vitality, constituting, launching forth in time and space a human being—aye, an immortal soul—in such relation, and no less, stands true poetry to the single personality or to the nation.

Here our thirty-eight States stand to-day, the children of past precedents, and, young as they are, heirs of a very old estate. One or two points we will consider, out of the myriads presenting themselves. The feudalism of the British Islands, illustrated by Shakespeare, and by his legitimate followers, Walter Scott and Alfred Tennyson, with all its tyrannies, superstitions, evils, had most superb and heroic permeating veins, poems, manners—even its errors fascinating. It almost seems as if only that feudalism in Europe, like slavery in our own South, could outcrop types of tallest, noblest personal character yet—strength and devotion and love better than elsewhere—invincible courage, generosity, aspiration, the spines of all. Here is where Shakespeare and the others I have named perform a service incalculably precious to our America. Politics, literature, and everything else centers at last in perfect *personnel* (as democracy is to find the same as the rest); and here feudalism is unrivaled—here the rich and highest-rising lessons it bequeaths us—a mass of precious, though foreign, nutriment, which we are to work over,

and popularize, and enlarge, and present again in Western growths.

Still, there are pretty grave and anxious drawbacks, jeopardies, fears. Let us give some reflections on the subject, a little fluctuating, but starting from one central thought, and returning there again. Two or three curious results may plow up. As in the astronomical laws, the very power that would seem most deadly and destructive turns out to be latently conservative of longest, vastest future births and lives.

Let us for once briefly examine the just-named authors solely from a Western point of view. It may be, indeed, that we shall use the sun of English literature, and the brightest current stars of his system, mainly as pegs to hang some cogitations on, for home inspection.

As depicter and dramatist of the passions at their stormiest outstretch, though ranking high, Shakespeare (spanning the arch wide enough) is equaled by several, and excelled by the best old Greeks (as Æschylus). But in portraying the mediæval lords and barons, the arrogant port and stomach so dear to the inmost human heart (pride! pride! dearest, perhaps, of all—touching us, too, of the States closest of all—closer than love), he stands alone, and I do not wonder he so witches the world.

From first to last, also, Walter Scott and Tennyson, like Shakespeare, exhale that principle of caste which we Americans have come on earth to destroy. Jefferson's criticism on the Waverly novels was that they turned and condensed brilliant but entirely false lights and glamours over the lords, ladies, courts, and aristocratic institutes of Europe, with all their measureless infamies, and then left the bulk of the suffering, down-trodden people contemptuously in the shade. Without stopping to answer this hornet-stinging criticism, or to repay any part of the debt of thanks I owe, in common with every American, to the noblest, healthiest, cheeriest romancer that ever lived, I pass on to Tennyson and his works.

Poetry here of a very high (perhaps the highest) order of verbal melody, exquisitely clean and pure, and almost always perfumed, like the tuberose, to an extreme of sweetness—sometimes not, however, but even then a camellia of the hot-house, never a common flower—the verse of elegance and high-life, and yet preserving amid all its super-delicatesse a smack of outdoors

and outdoor folk—the old Norman lordhood quality here, too, crossed with that Saxon fiber from which twain the best current stock of England springs—poetry that revels above all things in traditions of knights and chivalry, and deeds of derring-do. The odor of English social life in its highest range—a melancholy, affectionate, very manly, but dainty breed—pervading the books like an invisible scent; the idleness, the traditions, the mannerisms, the stately *ennui;* the yearning of love, like a spinal marrow inside of all; the costumes, old brocade and satin; the old houses and furniture,—solid oak, no mere veneering,—the moldy secrets everywhere; the verdure, the ivy on the walls, the moat, the English landscape outside, the buzzing fly in the sun inside the window pane. Never one democratic page; nay, not a line, not a word; never free and *naïve* poetry, but involved, labored, quite sophisticated—even when the theme is ever so simple or rustic (a shell, a bit of sedge, the commonest love-passage between a lad and lass), the handling of the rhyme all showing the scholar and conventional gentleman; showing the Laureate, too, the *attaché* of the throne, and most excellent, too; nothing better through the volumes than the dedication "To the Queen" at the beginning, and the other fine dedication, "These to his Memory" (Prince Albert's), preceding "Idylls of the King."

Such for an off-hand summary of the mighty three that now, by the women, men, and young folk of the fifty millions given these States by their late census, have been and are more read than all others put together.

We hear it said, both of Tennyson and the other current leading literary illustrator of Great Britain, Carlyle,—as of Victor Hugo in France,—that not one of them is personally friendly or admirant toward America; indeed, quite the reverse. *N'importe.* That they (and more good minds than theirs) cannot span the vast revolutionary arch thrown by the United States over the centuries, fixed in the present, launched to the endless future; that they cannot stomach the high-life-below-stairs coloring all our poetic and genteel social status so far—the measureless viciousness of the great radical republic, with its ruffianly nominations and elections; its loud, ill-pitched voice, utterly regardless whether the verb agrees with the nominative; its fights, errors, eructations, repulsions, dishonesties, audacities; those fearful and varied and long continued storm and stress stages

(so offensive to the well-regulated college-bred mind) wherewith nature, history, and time block out nationalities more powerful than the past, and to upturn it and press on to the future;—that they cannot understand and fathom all this, I say, is it to be wondered at? Fortunately, the gestation of our thirty-eight empires (and plenty more to come) proceeds on its course, on scales of area and velocity immense and absolute as the globe, and, like the globe itself, quite oblivious even of great poets and thinkers. But we can by no means afford to be oblivious of them.

The same of feudalism, its castles, courts, etiquettes, wars, personalities. However they, or the spirits of them hovering in the air, might scowl and glower at such removes as current Kansas or Kentucky life and forms, the latter may by no means repudiate or leave out the former. Allowing all the evil that it did, we get, here and to-day, a balance of good out of its reminiscence almost beyond price.

Am I content, then, that the general interior chyle of our republic should be supplied and nourished by wholesale from foreign and antagonistic sources such as these? Let me answer that question briefly:

Years ago I thought Americans ought to strike out separate, and have expressions of their own in highest literature. I think so still, and more decidedly than ever. But those convictions are now strongly tempered by some additional points (perhaps the results of advancing age, or the reflections of invalidism). I see that this world of the West, as part of all, fuses inseparably with the East, and with all, as time does—the ever new, yet old, old human race—"the same subject continued," as the novels of our grandfathers had it for chapter-heads. If we are not to hospitably receive and complete the inaugurations of the old civilizations, and change their small scale to the largest, broadest scale, what on earth are we for?

The currents of practical business in America, the rude, coarse, tussling facts of our lives, and all their daily experiences, need just the precipitation and tincture of this entirely different fancy world of lulling, contrasting, even feudalistic, anti-republican poetry and romance. On the enormous outgrowth of our unloosed individualities, and the rank self-assertion of humanity here, may well fall these grace-persuading, *recherché* influences.

We first require that individuals and communities shall be free; then surely comes a time when it is requisite that they shall not be too free. Although to such result in the future I look mainly for a great poetry native to us, these importations till then will have to be accepted, such as they are, and thankful they are no worse.

The inmost spiritual currents of the present time curiously revenge and check their own compelled tendency to democracy, and absorption in it, by marked leanings to the past—by reminiscences in poems, plots, operas, novels, to a far-off, contrary, deceased world, as if they dreaded the great vulgar gulf tides of to-day. Then what has been fifty centuries growing, working in, and accepted as crowns and apices for our kind, is not going to be pulled down and discarded in a hurry.

It is, perhaps, time we paid our respects directly to the honorable party, the real object of these preambles. But we must make *reconnaissance* a little further still. Not the least part of our lesson were to realize the curiosity and interest of friendly foreign experts,* and how our situation looks to them. "American poetry," says the London "Times,"† "is the poetry of apt pupils, but it is afflicted from first to last with a fatal want of raciness. Bryant has been long passed as a poet by Professor Longfellow; but in Longfellow, with all his scholarly grace and tender feeling, the defect is more apparent than it was in Bryant. Mr. Lowell can overflow with American humor when politics inspire his muse; but in the realm of pure poetry he is no more American than a Newdigate prize-man. Joaquin Miller's verse has fluency and movement and harmony, but as for the thought, his songs of the sierras might as well have been written in Holland."

* A few years ago I saw the question, "Has America produced any great poet?" announced as prize-subject for the competition of some university in Northern Europe. I saw the item in a foreign paper, and made note of it; but being taken down with paralysis, and prostrated for a long season, the matter slipped away, and I have never been able since to get hold of any essay presented for the prize, or report of the discussion, nor to learn for certain whether there was any essay or discussion, nor can I now remember the place. It may have been Upsala, or possibly Heidelberg. Perhaps some German or Scandinavian can give particulars. I think it was in 1872.

† In a long and prominent editorial, at the time, on the death of William Cullen Bryant.

Unless in a certain very slight contingency, the "Times" says:

"American verse, from its earliest to its latest stages, seems an exotic, with an exuberance of gorgeous blossom, but no principle of reproduction. That is the very note and test of its inherent want. Great poets are tortured and massacred by having their flowers of fancy gathered and gummed down in the *hortus siccus* of an anthology. American poets show better in an anthology than in the collected volumes of their works. Like their audience, they have been unable to resist the attraction of the vast orbit of English literature. They may talk of the primeval forest, but it would generally be very hard from internal evidence to detect that they were writing on the banks of the Hudson rather than on those of the Thames. . . . In fact, they have caught the English tone and air and mood only too faithfully, and are accepted by the superficially cultivated English intelligence as readily as if they were English born.

"Americans themselves confess to a certain disappointment that a literary curiosity and intelligence so diffused [as in the United States] have not taken up English literature at the point at which America has received it, and carried it forward and developed it with an independent energy. But like reader like poet. Both show the effects of having come into an estate they have not earned. A nation of readers has required of its poets a diction and symmetry of form equal to that of an old literature like that of Great Britain, which is also theirs. No ruggedness, however racy, would be tolerated by circles which, however superficial their culture, read Byron and Tennyson."

The English critic, though a gentleman and a scholar, and friendly withal, is evidently not altogether satisfied (perhaps he is jealous) and winds up by saying:

"For the English language to have been enriched with a national poetry which was not English but American, would have been a treasure beyond price."

With which, as whet and foil, we shall proceed to ventilate more definitely certain no doubt willful opinions.

Leaving unnoticed at present the great masterpieces of the antique, or anything from the middle ages, the prevailing flow of poetry for the last fifty or eighty years, and now at its height, has been and is (like the music) an expression of mere surface melody, within narrow limits, and yet, to give it its due, perfectly satisfying to the demands of the ear, of wondrous charm, of smooth and easy delivery, and the triumph of technical art. Above all things it is fractional and select. It shrinks with aversion from the sturdy, the universal, and the democratic.

The poetry of the future (the phrase is open to sharp criticism, and is not satisfactory to me, but is significant, and I will use it)—the poetry of the future aims at the free expression of emotion (which means far, far more than appears at first), and to arouse and initiate more than to define or finish. Like all modern tendencies, it has direct or indirect reference continually to the reader, to you or me, to the central identity of everything, the mighty Ego. (Byron's was a vehement dash, with plenty of impatient democracy, but lurid and introverted amid all its magnetism; not at all the fitting, lasting song of a grand, secure, free, sunny race.) It is more akin, likewise, to outside life and landscape (returning mainly to the antique feeling), real sun and gale, and woods and shores—to the elements themselves—not sitting at ease in parlor or library listening to a good tale of them, told in good rhyme. Character, a feature far above style or polish,—a feature not absent at any time, but now first brought to the fore,—gives predominant stamp to advancing poetry. Its born sister, music, already responds to the same influences:

"The music of the present, Wagner's, Gounod's, even the later Verdi's, all tends toward this free expression of poetic emotion, and demands a vocalism totally unlike that required for Rossini's splendid roulades, or Bellini's suave melodies."

Is there not even now, indeed, an evolution, a departure from the masters? Venerable and unsurpassable after their kind as are the old works, and always unspeakably precious as studies (for Americans more than any other people), is it too much to say that by the shifted combinations of the modern mind the whole underlying theory of first-class verse has changed? "Formerly, during the period termed classic," says Sainte-Beuve, "when literature was governed by recognized rules, he was considered the best poet who had composed the most perfect work, the most beautiful poem, the most intelligible, the most agreeable to read, the most complete in every respect,—the Æneid, the Gerusalemme, a fine tragedy. To-day, something else is wanted. For us, the greatest poet is he who in his works most stimulates the reader's imagination and reflection, who excites him the most himself to poetize. The greatest poet is not he who has done the best; it is he who suggests the most; he, not all of whose meaning is at first obvious, and who leaves you much to desire, to explain, to study, much to complete in your turn."

The fatal defects our American singers labor under are subordination of spirit, an absence of the concrete and of real patriotism, and in excess that modern æsthetic contagion a queer friend of mine calls the *beauty disease*. "The immoderate taste for beauty and art," says Charles Baudelaire, "leads men into monstrous excesses. In minds imbued with a frantic greed for the beautiful, all the balances of truth and justice disappear. There is a lust, a disease of the art faculties, which eats up the moral like a cancer."

Of course, by our plentiful verse-writers there is plenty of service performed, of a kind. Nor need we go far for a tally. We see, in every polite circle, a class of accomplished, good-natured persons ("society," in fact, could not get on without them), fully eligible for certain problems, times, and duties—to mix egg-nog, to mend the broken spectacles, to decide whether the stewed eels shall precede the sherry or the sherry the stewed eels, to eke out Mrs. A. B.'s parlor-tableaux with monk, Jew, Turk, lover, Romeo, Puck, Prospero, Caliban, or what not, and to generally contribute and gracefully adapt their flexibilities and talents, in those ranges, to the world's service. But for real crises, great needs and pulls, moral or physical, they might as well have never been born.

Or the accepted notion of a poet would appear to be a sort of male odalisque, singing or piano-playing a kind of spiced ideas, second-hand reminiscences, or toying late hours at entertainments, in rooms stifling with fashionable scent. I think I haven't seen a new-published healthy, bracing, simple lyric in ten years. Not long ago, there were verses in each of three fresh monthlies, from leading authors, and in every one the whole central *motif* (perfectly serious) was the melancholiness of a marriageable young woman who didn't get a rich husband, but a poor one!

Besides its tonic and *al fresco* physiology, relieving such as this, the poetry of the future will take on character in a more important respect. Science, having extirpated the old stock-fables and superstitions, is clearing a field for verse, for all the arts, and even for romance, a hundred-fold ampler and more wonderful, with the new principles behind. Republicanism advances over the whole world. Liberty, with Law by her side, will one day be paramount—will at any rate be the central idea. Then only—for all the splendor and beauty of what has been, or the polish of what is—then only will the true poets appear, and

the true poems. Not the satin and patchouly of to-day, not the glorification of the butcheries and wars of the past, nor any fight between Deity on one side and somebody else on the other—not Milton, not even Shakespeare's plays, grand as they are. Entirely different and hitherto unknown classes of men, being authoritatively called for in imaginative literature, will certainly appear. What is hitherto most lacking, perhaps most absolutely indicates the future. Democracy has been hurried on through time by measureless tides and winds, resistless as the revolution of the globe, and as far-reaching and rapid. But in the highest walks of art it has not yet had a single representative worthy of it anywhere upon the earth.

Never had real bard a task more fit for sublime ardor and genius than to sing worthily the songs these States have already indicated. Their origin, Washington, '76, the picturesqueness of old times, the war of 1812 and the sea-fights; the incredible rapidity of movement and breadth of area—to fuse and compact the South and North, the East and West, to express the native forms, situations, scenes, from Montauk to California, and from the Saguenay to the Rio Grande—the working out on such gigantic scales, and with such a swift and mighty play of changing light and shade, of the great problems of man and freedom,—how far ahead of the stereotyped plots, or gem-cutting, or tales of love, or wars of mere ambition! Our history is so full of spinal, modern, germinal subjects—one above all. What the ancient siege of Ilium, and the puissance of Hector's and Agamemnon's warriors proved to Hellenic art and literature, and all art and literature since, may prove the war of attempted secession of 1861–5 to the future æsthetics, drama, romance, poems of the United States.

Nor could utility itself provide anything more practically serviceable to the hundred millions who, a couple of generations hence, will inhabit within the limits just named, than the permeation of a sane, sweet, autochthonous national poetry—must I say of a kind that does not now exist? but which, I fully believe, will in time be supplied on scales as free as Nature's elements. (It is acknowledged that we of the States are the most materialistic and money-making people ever known. My own theory, while fully accepting this, is that we are the most emotional, spiritualistic, and poetry-loving people also.)

Infinite are the new and orbic traits waiting to be launched forth in the firmament that is, and is to be, America. Lately I have wondered whether the last meaning of this cluster of thirty-eight States is not only practical fraternity among themselves—the only real *union* (much nearer its accomplishment, too, than appears on the surface)—but for fraternity over the whole globe—that dazzling, pensive dream of ages! Indeed, the peculiar glory of our lands, I have come to see, or expect to see, not in their geographical or republican greatness, nor wealth or products, nor military or naval power, nor special, eminent names in any department, to shine with, or outshine, foreign special names in similar departments,—but more and more in a vaster, saner, more splendid Comradeship, uniting closer and closer not only the American States, but all nations, and all humanity. That, O poets! is not that a theme worth chanting, striving for? Why not fix your verses henceforth to the gauge of the round globe? the whole race?

Perhaps the most illustrious culmination of the modern may thus prove to be a signal growth of joyous, more exalted bards of adhesiveness, identically one in soul, but contributed by every nation, each after its distinctive kind. Let us, audacious, start it. Let the diplomates, as ever, still deeply plan, seeking advantages, proposing treaties between governments, and to bind them, on paper: what I seek is different, simpler. I would inaugurate from America, for this purpose, new formulas—international poems. I have thought that the invisible root out of which the poetry deepest in, and dearest to, humanity grows, is Friendship. I have thought that both in patriotism and song (even amid their grandest shows past) we have adhered too long to petty limits, and that the time has come to enfold the world.

Not only is the human and artificial world we have established in the West a radical departure from anything hitherto known,—not only men and politics, and all that goes with them,—but Nature itself, in the main sense, its construction, is different. The same old font of type, of course, but set up to a text never composed or issued before. For Nature consists not only in itself objectively, but at least just as much in its subjective reflection from the person, spirit, age, looking at it, in the midst of it, and absorbing it—faithfully sends back the characteristic beliefs of the time or individual—takes, and readily gives again, the phys-

iognomy of any nation or literature—falls like a great elastic veil on a face, or like the molding plaster on a statue.

What is Nature? What were the elements, the invisible backgrounds and eidolons of it, to Homer's heroes, voyagers, gods? What all through the wanderings of Virgil's Æneas? Then to Shakespeare's characters—Hamlet, Lear, the English-Norman kings, the Romans? What was nature to Rousseau, to Voltaire, to the German Goethe in his little classical court gardens? In those presentments in Tennyson (see the "Idylls of the King"—what sumptuous, perfumed, arras-and-gold nature, inimitably described, better than any, fit for princes and knights and peerless ladies—wrathful or peaceful, just the same—Vivien and Merlin in their strange dalliance, or the death-float of Elaine, or Geraint and the long journey of his disgraced Enid and himself through the wood, and the wife all day driving the horses), as in all the great imported art-works, treatises, systems, from Lucretius down, there is a constantly lurking, often pervading something that will have to be eliminated, as not only unsuited to modern democracy and science in America, but insulting to them, and disproved by them.

Still, the rule and demesne of poetry will always be not the exterior, but interior; not the macrocosm, but microcosm; not Nature, but Man. I haven't said anything about the imperative need of a race of giant bards in the future, to hold up high to eyes of land and race the eternal antiseptic models, and to dauntlessly confront greed, injustice, and all forms of that wiliness and tyranny whose roots never die (my opinion is, that after all the rest is advanced, *that* is what first-class poets are for, as, to their days and occasions, the Hebrew lyrists, Roman Juvenal, and doubtless the old singers of India and the British Druids),—to counteract dangers, immensest ones, already looming in America—measureless corruption in politics; what we call religion a mere mask of wax or lace; for *ensemble*, that most cankerous, offensive of all earth's shows—a vast and varied community, prosperous and fat with wealth of money and products and business ventures,—plenty of mere intellectuality too,—and then utterly without the sound, prevailing, moral, and æsthetic health-action beyond all the money and mere intellect of the world.

Is it a dream of mine that, in times to come, West, South, East,

North, will silently, surely arise a race of such poets, varied, yet one in soul—nor only poets, and of the best, but newer, larger prophets—larger than Judea's, and more passionate—to meet and penetrate those woes, as shafts of light the darkness?

As I write, the last fifth of the nineteenth century is entered upon, and will soon be waning. Now, and for a long time to come, what the United States most need, to give purport, definiteness, reason why, to their unprecedented material wealth, industrial products, education by rote merely, great populousness and intellectual activity, is the central, spinal reality (or even the idea of it) of such a democratic band of native-born-and-bred teachers, artists, *littérateurs*, tolerant and receptive of importations, but entirely adjusted to the West, to ourselves, to our own days, purports, combinations, differences, superiorities. Indeed, I am fond of thinking that the whole series of concrete and political triumphs of the republic are mainly as bases and preparations for half a dozen first-rate future poets, ideal personalities, referring not to a special class, but to the entire people, four or five millions of square miles.

Long, long are the processes of the development of a nationality. Only to the rapt vision does the seen become the prophecy of the unseen.* Democracy, so far attending only to the real, is

* Is there not such a thing as the philosophy of American history and politics? And if so—what is it? . . . Wise men say there are two sets of wills to nations and to persons—one set that acts and works from explainable motives—from teaching, intelligence, judgment, circumstance, caprice, emulation, greed, etc.—and then another set, perhaps deep, hidden, unsuspected, yet often more potent than the first, refusing to be argued with, rising as it were out of abysses, resistlessly urging on speakers, doers, communities, unwitting to themselves—the poet to his fieriest words—the race to pursue its loftiest ideal. . . . Indeed, the paradox of a nation's life and career, with all its wondrous contradictions, can probably only be explained from these two wills, sometimes conflicting, each operating in its sphere, combining in races or in persons, and producing strangest results.

Let us hope there is (indeed, can there be any doubt there is?) this great, unconscious, and abysmic second will also running through the average nationality and career of America. Let us hope that, amid all the dangers and defections of the present, and through all the processes of the conscious will, it alone is the permanent and sovereign force, destined to carry on the New World to fulfill its destinies in the future—to resolutely pursue those destinies, age upon age; to build, far, far beyond its past vision, present thought; to form and fashion, and for the general type, men and women more noble, more athletic than the world has yet seen; to gradually, firmly

not for the real only, but the grandest ideal—to justify the modern by that, and not only to equal, but to become by that superior to the past. On a comprehensive summing up of the processes and present and hitherto condition of the United States with reference to their future and the indispensable precedents to it, I say I am fully content. My point, below all surfaces, and subsoiling them, is, that the bases and prerequisites of a leading nationality are, first, at all hazards, freedom, worldly wealth and products on the largest and most varied scale, common education and intercommunication, and, in general, the passing through of just the stages and crudities we have passed or are passing through in the United States.

Then, perhaps, as weightiest factor of the whole business, and of the main outgrowths of the future, it remains to be definitely avowed that the native-born middle-class population of quite all the United States,—the average of farmers and mechanics everywhere,—the real, though latent and silent bulk of America, city

blend, from all the States, with all varieties, a friendly, happy, free, religious nationality—a nationality not only the richest, most inventive, most productive and materialistic the world has yet known, but compacted indissolubly, and out of whose ample and solid bulk, and giving purpose and finish to it, conscience, morals, and all the spiritual attributes, shall surely rise, like spires above some group of edifices, firm-footed on the earth, yet scaling space and heaven.

Great as they are, and greater far to be, the United States, too, are but a series of steps in the eternal process of creative thought. And here is, to my mind, their final justification, and certain perpetuity. There is in that sublime process, in the laws of the universe—and, above all, in the moral law—something that would make unsatisfactory, and even vain and contemptible, all the triumphs of war, the gains of peace, and the proudest worldly grandeur of all the nations that have ever existed, or that (ours included) now exist, except that we constantly see, through all their worldly career, however struggling and blind and lame, attempts, by all ages, all peoples, according to their development, to reach, to press, to progress on, and farther on, to more and more advanced ideals.

The glory of the republic of the United States, in my opinion, is to be that, emerging in the light of the modern and the splendor of science, and solidly based on the past, it is to cheerfully range itself, and its politics are henceforth to come, under those universal laws, and embody them, and carry them out, to serve them. . . . And as only that individual becomes truly great who understands well that, while complete in himself in a certain sense, he is but a part of the divine, eternal scheme, and whose special life and laws are adjusted to move in harmonious relations with the general laws of nature, and especially with the moral law, the deepest and highest of all, and the last vitality of man or State—so those nations, and so the United States, may

or country, presents a magnificent mass of material, never before equaled on earth. It is this material, quite unexpressed by literature or art, that in every respect insures the future of the republic. During the secession war I was with the armies, and saw the rank and file, North and South, and studied them for four years. I have never had the least doubt about the country in its essential future since.

Meantime, we can (perhaps) do no better than saturate ourselves with, and continue to give imitations, yet a while, of the æsthetic models, supplies, of that past and of those lands we spring from. Those wondrous stores, reminiscences, floods, currents! Let them flow on, flow hither freely. And let the sources be enlarged, to include not only the works of British origin, as now, but stately and devout Spain, courteous France, profound Germany, the manly Scandinavian lands, Italy's art race, and always the mystic Orient.

only become the greatest and the most continuous, by understanding well their harmonious relations with entire humanity and history, and all their laws and progress, and sublimed with the creative thought of Deity, through all time, past, present, and future. Thus will they expand to the amplitude of their destiny, and become splendid illustrations and culminating parts of the cosmos, and of civilization.

No more considering the States as an incident, or series of incidents, however vast, coming accidentally along the path of time, and shaped by casual emergencies as they happen to arise, and the mere result of modern improvements, vulgar and lucky, ahead of other nations and times, I would finally plant, as seeds, these thoughts or speculations in the growth of our republic—that it is the deliberate culmination and result of all the past—that here, too, as in all departments of the universe, regular laws (slow and sure in acting, slow and sure in ripening) have controlled and governed, and will yet control and govern; and that those laws can no more be baffled or steered clear of, or vitiated, by chance, or any fortune or opposition, than the laws of winter and summer, or darkness and light.

The summing up of the tremendous moral and military perturbations of 1861–5, and their results—and indeed of the entire hundred years of the past of our national experiment, from its inchoate movement down to the present day (1780–1881)—is, that they all now launch the United States fairly forth, consistently with the entirety of civilization and humanity, and in main sort the representative of them, leading the van, leading the fleet of the modern and democratic, on the seas and voyages of the future.

And the real history of the United States—starting from that great convulsive struggle for unity, the secession war, triumphantly concluded, and *the South* victorious, after all—is only to be written at the remove of hundreds, perhaps a thousand, years hence.—*From my "Memoranda of the War."*

Remembering that at present, and doubtless long ahead, a certain humility would well become us. The course through time of highest civilization, does it not wait the first glimpse of our contribution to its cosmic train of poems, bibles, structures, perpetuities—Egypt and Palestine and India—Greece and Rome and mediæval Europe—and so onward? The shadowy procession is not a meager one, and the standard not a low one. All that is mighty or precious in our kind seems to have trod the road. Ah, never may America forget her thanks and reverence for samples, treasures such as these—that other life-blood, inspiration, sunshine, hourly in use to-day, all days, forever, throughout her broad demesne!

All serves our New World progress, even the bafflers, head-winds, cross-tides. Through many perturbations and squalls, and much backing and filling, the ship, upon the whole, makes unmistakably for her destination. Shakespeare has served, and serves, may be, the best of any.

For conclusion, a passing thought, a contrast, of him who, in my opinion, continues and stands for the Shakespearean cultus at the present day among all English-writing peoples—of Tennyson, his poetry. I find it impossible, as I taste the sweetness of these lines, to escape the flavor, the conviction, the lush-ripening culmination, and last honey of decay (I dare not call it rottenness) of that feudalism which the mighty English dramatist painted in all the splendors of its noon and afternoon. And how they are chanted—both poets! Happy those kings and nobles to be so sung, so told! To run their course—to get their deeds and shapes in lasting pigments—the very pomp and dazzle of the sunset!

Meanwhile, democracy waits the coming of its bards in silence and in twilight—but 'tis the twilight of the dawn.

WALT WHITMAN.

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Seated in a luxurious palace car whirling us with lightning speed toward the Pacific coast, we were fast relapsing into that dreamy condition of mind which the monotony of continuous travel induces. Nearly all our fellow passengers were similarly influenced, except a small group who were assiduous in their attention to a seemingly healthy and robust young man. The young man attracted our attention by what seemed either his indifference or helplessness, and we were resolved to "see the whole thing through." By this time we were drawing near to a train express and refreshment station, and our indifferent young friend gave some sign which caused a gentleman in attendant to leave the car and procure for him some fruit. On his way back toward the invalid we allowed our curiosity full liberty, and inquired concerning his charge. With rare politeness he explained that the young man was the victim of an agonizing type of rheumatism, which was always worse in the Spring and Fall, and that they were removing the patient to the Pacific coast for the benefit of climatic influence, as medicine had ceased to affect his case at all. We thanked him and fell into an easy conversation with a new-comer who had boarded the train at the station, and was for a time our *compagnon de voyage*. This companion of the trip, we reasoned, must be either a very good or very wicked man, as our eyes for the first time fell upon his heavy *porte-manteau*, bearing the mystical name "St. Jacobs." We inquired diplomatically about his destination, etc., etc., and soon we learned that the affable stranger was a public benefactor in the *role* of representative of the ST. JACOBS OIL interest. At the next station our invalid traveler and the ST. JACOBS OIL representative were transferred to a compartment of the car for an interchange of views and experiences; and we think something cheering must have been heard and felt by our invalid, for before we reached our destination—San Francisco—this same invalid was as pleasant and cheerful as any one aboard the train, free from pain and as voluble concerning the merits of that wonderful remedy for Rheumatism, ST. JACOBS OIL, as a school-girl on commencement day.—*Western Exchange.*

In this connection it may not be inappropriate to present the following statements relative to the efficacy of the Old German Remedy:

SAVED FROM THE POORHOUSE.

For many years David Allingsworth suffered with Rheumatism, and notwithstanding the best medical attendance, could not find relief. He came to the Sciota County Poorhouse, and had to be carried into and out of bed, on account of his helpless condition. After the failure of all the remedies which had been applied, the Directors of the Poorhouse resolved to use the celebrated German Remedy, St. Jacobs Oil, and this was a fortunate resolution; for, with the trial of one bottle, the patient was already much better, and when four bottles had been used upon him, he could again walk about without the use of a cane.

The facts, as above stated, will be vouched for by the editor of the Portsmouth (Ohio) *Correspondent.*

Amos James, Esq., proprietor Huron House, Port Huron, Mich., writes: I suffered with Rheumatism so badly that I was unable to use my arm for three months. Nothing gave relief, and I was in despair, when some one recommended St. Jacobs Oil. I tried it, and, to my astonishment, found relief. Continuing its use, five bottles cured me entirely. I heartily recommend it to all afflicted with Rheumatism.

One of the great manufacturing interests of Boston is the Emerson Piano Company, whose pianos are used with high appreciation and satisfaction throughout the world. In a recent conversation with Mr. Jos. Gramer, one of the proprietors, that gentleman remarked: I have used that valuable remedy, St. Jacobs Oil, in my family, and I found it to be so beneficial that I will never be without it. It has cured me of a severe case of Rheumatism after other remedies had failed.

Rev. A. A. Allen, who is well known in Michigan, and more particularly in Oakland county where he is familiarly addressed or spoken of as "Father Allen," thus speaks: My wife, who has not rested well, and who has been troubled with chronic Rheumatism for the past six years, hearing of the wonderful cures made by St. Jacobs Oil, bought a bottle at Carroll's Drug Store, one day last month, and with one application, rested well for the night, free from all pain, the first time in six years. She used one bottle, and was entirely cured of all Rheumatism and pains. We always keep it at our home. My neighbors, hearing of the permanent cure, also provided themselves with St. Jacobs Oil.

Mr. Gilbert Henfield, 1026 Milwaukee Avenue, Chicago, Ill., says: This is to certify, that, after suffering the most excruciating pain for two years from chronic Rheumatism, and using immense quantities of liniments, oils and physicians' recipes, I used St. Jacobs Oil (recommended to me by a friend) for a few weeks, and have not suffered with Rheumatism from that time to the present—nearly six months. I now consider myself entirely cured, thanks to St. Jacobs Oil.

A REMINISCENCE of the GREAT FIRE.

At the residence of Mr. John O'Donnell, No. 106 Sigel street, Chicago, our reporter found Mrs. O'Donnell, who said that eight years ago, just after the fire, she contracted Rheumatism in the feet, and that after trying all kinds of remedies—some of which cost as much as two dollars a bottle—she had recently heard of St. Jacobs Oil, and had given it a trial, the result being that a few applications changed her from a bed-ridden cripple to a strong woman, able to dance about the floor as in her youthful days.—*Chicago Tribune.*

J. Jackson Smith, Esq., Councilman, Cleveland, Ohio, recently recommended St. Jacobs Oil to a prominent politician in that city, who was a martyr to rheumatic aches and pains. His shoulder was so badly afflicted that it was impossible for him to use a pen. He assured me, Mr. Smith said, that he was materially benefitted after the first rubbing, and that by constant use since, he has succeeded in entirely ridding himself of the complaint. I have introduced the Oil into my family, believing that it is an exceedingly good thing to have within reach. My son has used it for headache with good success. The truth is, by the amount of talk one hears daily about St. Jacobs Oil, it seems as though it was destined to occupy a most important position in every household.

Undoubtedly it is a remarkable medicine, says Stacey Hill, Esq., of the Mt. Auburn Inclined Plane Railway, Cincinnati. I was limping about, hardly able to move, with Rheumatism in the hip, or Sciatica. Hearing of St. Jacobs Oil, I procured a bottle of it, and with the third application was able to go about with perfect ease and comfort.

The La Fayette (Ind.) *Daily Courier* lately remarked: We cheerfully give our readers the benefit of the following, imparted to us by Mr. John Wendling of this city: I had been confined to bed for five weeks with Rheumatism, during which time my left leg was powerless. I procured a bottle of St. Jacobs Oil, and after using it for five or six days, I was on my feet again and perfectly cured. We congratulate our friend on his recovery, and the public on the fact that a reliable cure for one of the most painful ailments has at last been found.

Mr. J. Dawson, of the firm of J. Dawson & Son, Druggists, Rochester, Ind., was attacked with Sciatic Rheumatism about December 10th last, and for four weeks succeeding February 10th could scarcely leave his room. He used St. Jacobs Oil, and is now able to be at his place of business, feeling not much the worse for his recent affliction. The inference is convincing. The run which St. Jacobs Oil is having is, these gentlemen say, unprecedented, and the article is rapidly displacing all other rheumatic remedies as fast as its virtues become known.

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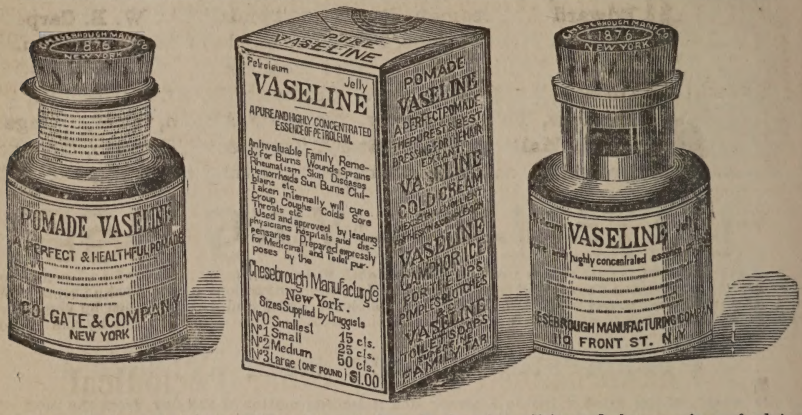

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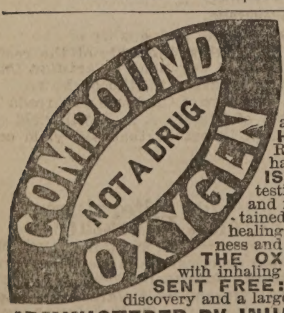

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THE

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MARCH, 1881.

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NORTH AMERICAN REVIEW.

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NORTH AMERICAN REVIEW.

No. CCXCII.

MARCH, 1881.

THEOLOGY IN THE PUBLIC SCHOOLS.

THERE is no feature of American civilization that more deeply impresses the stranger, who brings with him the mind of a statesman, than that of our religion. He comes expecting to find us an intelligent, active, energetic people; he believes in our free spirit and our indomitable pluck; he has heard of our impatience under misrepresentation, and he is willing to credit this to what the primitive worthies of the republic called "a decent respect for the opinions of mankind." He expects, also, to see this decent respect working itself out in the improvement of society and the embellishment of our domestic life. But he has, possibly, thought of us as a people trying the hazardous experiment of living without state support for their religious wants, and leaving the supply of such wants, even in new territories, to the caprices of a rude colony of pioneers. What he actually beholds, even in the recent wilderness to which the sierras of Nevada furnish a backbone, is, therefore, the occasion of surprise, and not less of reflection and inquiry.

In short, he finds everywhere the glistening spire, and, amid evidences of the most elementary social state, he rarely fails to discover some provision for the worship of God. In cities, he sees churches of costly material and proportions, and many of them of considerable merit, the work of clever architects. Here

and there are attempts to reproduce the cathedrals of the older nations; and, in general, he admires the lavish expenditure with which churches are built and adorned, and the steady tribute of wealth by which they are kept up and supplied with ministrations from year to year. Around many of them cluster schools, and hospitals, and asylums, supported without aid from the public funds; and numerous colleges and theological seminaries, entirely the foundations of individual beneficence, attest that noblest of all varieties of the spirit of charity, which, instead of being limited by the momentary impulses excited by contact with suffering, plants the tree which is to yield continual fruit for the healing of bodies and souls in ages yet to come. And, not to refer to exceptional cases, some of them ignobly characteristic of alien colonization, it may be truly said that all this is the product of voluntary and intelligent piety. And, in general, where conscience toward God is not directly the motive, it is still the deep conviction of the popular mind that pious men are, after all, the salt of the land, and that without the influences of religion social order cannot be maintained. Moreover, although the Jewish synagogue is not infrequently to be seen, erected with corresponding ideas and a similar munificence, it is unquestionably true that this voluntary investment of wealth is, almost wholly, a tribute to Christianity.

Our Christianity is not, perhaps, without grave defects and blemishes. The divisions of those who profess to follow one Master and Lord work out into manifold abuses, rivalries, and even conflicts, which tend to weaken the power and influence of the truth that is held in common. Yet, for my present purpose, even this glaring inconsistency is the stronger argument. An indifferent sort of conformity to the ideas of the gospel would content itself with a more perfunctory discharge of obligations. A village would have its house of prayer, or of preaching, and little concern would be manifested as to the doctrines or devotions of those who might resort to it. But such is not the spirit of American sectarianism: every Christian wishes to maintain a specific Christianity, and is willing to pay largely for his personal views and tenets. Hence, a petty village will build half a dozen temples and strive to support them all. The waste is immense, in the view of the economist, but it proves what I am now referring to—the deep and earnest religious element in our social estate. Christianity, as such, they all agree, or nearly all,

to be fairly represented by their neighbors, so far as seems absolutely necessary to future happiness; but, for the very essence and kernel of Christianity also, each is willing to tax himself; and a village that might be fairly expected to raise a thousand dollars yearly for the support of religion, will be found paying five times that amount, and if the interest of invested capital be added, then much more. Neighbors, who do not belong to "any particular religion," will often be found paying liberally to "help them all," under the conviction that they all do some good, and contribute to the respectability of the place. Such is the public sentiment, the popular impression at least, and so large are the tributes it yields. The stranger I have instanced finds here no armed police; yet, everywhere, he finds a prevailing respect for authority and obedience to law. The duties of the magistrate are comparatively easy, and rarely does he require any stronger force than the wand of the constable. The invisible support on which all depends comes from public opinion, and public opinion, in ultimate analysis, is the product of the habits and examples formed by religion. What the stranger wonders at, then, is the spectacle of a government deriving its sure support and defenses from a predominant Christianity that takes care of itself, and, in so doing, without any cost to government, provides, in a practical way, for the perpetuation of national prosperity.

The history of our people explains all this. Our forefathers were, in their various kinds, earnest Christians. The daring which led them to explore a waste of waters, not to find a haven, but to throw themselves upon an inhospitable coast, where not even a hut might shelter them, and where their first task was to invade the dens of wild beasts and to battle with the savage, was the same kind of heroism which has made up "the noble army of martyrs." Their fundamental ideas were those of their faith. What they coveted for themselves, if not for others alike, was, before all things, religious freedom. The grand republic, of which they laid the foundations, had its origin in religious convictions, which were real, all-controlling, unyielding, enduring. They have bequeathed this religious sentiment to their progeny, along with the civilization which they created. And the conviction is deep, among all the thinking classes in our country, that when our Christianity disappears, our national estate must perish with it. What may come from anarchy, when the church-

going bell has ceased to be heard in the land; * when religion no more sanctifies the birth, the bridal, and the funeral; when the matron and the maid, as Christian marriage has made the one, and the Christian family the other, are no more the light of the home, and the center of all noble loves and relations; when all these blessings shall have been forfeited in America, as they have been in other lands, it would be idle to conjecture. One thing is certain, the America of Washington, and of the century that came after him, will have perished forever.

Now, there is another peculiarity about this national Christianity, such as it is: with all its sharply cut and defined sectarianism, it is exceedingly tolerant, or, rather, practically good-natured. And the secret of this, apart from the excellent common sense of our people, is their general acceptance of one book, as their common inheritance, and as the Word of God. If ever, by any occurrence, the American people should so far disagree about this book as to provide themselves, each church and sect with its several bible, there can be little doubt that elements of social discord would soon be introduced, which thus far have been happily unknown. The enormous value to a people, to a race, to a world of English-speaking humanity, of such a common bond as they now possess in their hereditary Bible, must be felt by every reflecting mind. In presence of an immense audience, in Paris, after an argument of overwhelming eloquence and logical force, I once heard Father Loyson attribute the vast superiority of the people "beyond the Channel," in all that makes freedom a possibility and a lasting possession, to their knowledge of a Bible in the vulgar tongue, in which, from the Queen to the plowman, the whole population are more or less instructed; "so that its old Shemitic proverbs and formulas of thought and expression are absorbed into the habits of the race; even infidelity and unbelief unconsciously borrowing its felicitous idioms, in the endeavor to turn their point and beauty against the source from which they were derived." I have heard Dr. Newman, in his efforts to talk like an Italian, inadvertently clothing an assault upon the religion of his better days in a quotation from the common English Bible, from which he vainly strove to extricate himself by picking up his *parvenu* acquaintance with the wretched and hobbling version of Douai.

* On the law, as respects the Lord's Day, see "The Superior Court of Buffalo," by Judge Smith. Brunnett *vs.* Clark, 1 Sheldon, p. 500.

And now, let me remark that the question of "Theology in the Public Schools" resolves itself into this: Shall such a venerable and priceless possession of the English-speaking world be ignominiously thrown out of the schools, after the experience of two hundred and fifty years, during which, with few exceptions, Americans, one and all, have received it as part of their education, and laid their hands upon it reverently in all transactions requiring the confirmation of an oath?

It is not a question of bringing in, but of thrusting out: and who are they who would thus deprive the children of the future of an element in their education, such as long experience has proved essential to the social fabric, and, personally, to the formation of the citizen capable of rational and regulated freedom? We find the only opposition to the old order of American education, almost the only opposition which creates any difficulty of a practical sort, coming from those who are opposed to freedom itself, and who make no secret of their disposition, not to thrust out theology from the public schools, but to bring it in; provided always that it be the theology of Pio Nono and his "syllabus." In one of the public schools of the State of New York,* which I visited in the discharge of my duties and the exercise of my rights as a citizen, I found the whole course of instruction controlled by theological ideas of this sort, and managed by nuns, wearing the dress and trinkets of their order. It is from such a source, primarily and principally, that we find the most emphatic protest against the Bible in our public schools.

With the exception thus indicated, it may be safely said that nobody in America dreams of introducing dogmatic theology into these schools. The practical wisdom of our Christian civilization consents to this as a condition of social existence forced upon us by Divine Providence. Each religionist contents himself with supplying, by other instrumentalities, such instruction in his own tenets as he feels bound to impart to children. The same practical instinct recognizes the advantage of having all children educated in the knowledge of the Bible, apart from dogma, as the surest foundation not only of a good moral character, but also of a familiar acquaintance with the English language. The Bible, as a classic and as the base of all our social and moral ideas, and not, in any sense, as the text-book of

* At Corning, in Steuben County.

a formal creed, is thus honored and accepted among us. Nobody who claims an English education can be ignorant of this book: it is the corner-stone of our language and literature: and as I have said, the question is not about bringing it in, as a novel and untried experiment; but about thrusting it out in disgrace, after centuries of happy experience of its importance. Possession gives us nine points in our favor, and feeble indeed must be the popular mind and conscience if it permits such an ejectment to be served against it, at the demand of a comparatively small and intolerant minority.

Just here, an aggressive infidelity comes to the aid of bigoted intolerance, and sets up a plea for this minority, as a plea for the American constitution. A single citizen, it argues, outweighs the whole residue of the people, if he appeals to the constitution against any attempt to teach his children out of a religious book. The Bible, therefore, must be expelled from the schools.

But the constitution of the United States has its origin in the practical wants of a Christian civilization. It may be changed when a majority of the people becomes Mormon, Mohammedan, or Confucian; but, while it lasts, it must reflect the spirit of that civilization which created it, and which it was created to protect and to perpetuate.* It is confessedly opposed, in its very essence, to any governmental support of dogmatic religion; but a philosopher like Montesquieu must recognize its spirit as that of the Christian civilization from which it sprung, and with which it must stand or fall. If our people ever become Turks, it must perish. This essential principle of its existence is not the less mighty in operation because it is implied rather than expressed. The same instrument says nothing about the English language, but it is written in that language. It says nothing of grammar and logic, but it is addressed to the reasoning faculty, and it is cast in grammatical forms. It says nothing of geography, but it implies that the American people have a local habitation, and that there are American States with certain defined boundaries and limits. It is so in all creation: what is inwrought need not be labeled. God's name need not be written upon the rocks and the water-floods; no need of a trade-mark upon the seas, much less of any speech or language to help the glittering firmament proclaim the glory and majesty of the Creator.

* See the case of the "Latter Day Saints," Supreme Court Reports, Otto, vol. xcviii., p. 161.

But while it is well to insist upon the spirit of our national constitution as that of a Christian civilization, it is enough for our present purpose to observe that the question now in hand is left by that instrument to the municipal laws of the several States. Of these States, the national constitution requires a republican form, and it forbids them to establish religious tests for holding office, but it leaves education to their absolute control, under such restrictions. Now, like the national instrument itself, the constitution of the State of New York recognizes and affirms the common law, and therewith Christianity, considered apart from dogmas, as the moral and religious base of our civilization. Municipal law, enacted under such a constitution, has power to regulate the moral conduct of society; it cannot forbid a man to be a Turk, but it can forbid him to violate the moral sense of Christian society by practical polygamy. "Municipal law," says Blackstone,* "regards the man as a citizen . . . bound to duties which he has engaged in, by enjoying the benefits of the common union, and which amount to no more than that he do contribute his part to the subsistence and peace of society." Again he says: "Municipal law is a rule of civil conduct prescribed by the supreme power in a state, *commanding what is right and prohibiting what is wrong.*" He shows that the exercise of this supreme power is not limited by the approbation of the individual; what society establishes, the individual must obey; even the Quaker must pay his taxes for the support of the militia engaged in actual warfare. Now, the Christian character of our municipal laws, with the qualifications I have noted, is sufficiently established by our jurists and by our courts of justice. A few citations may be pertinent. Let me refer, in a less particular manner, to the splendid argument of Webster, in the "Girard case."

"Christianity," says the Supreme Court of Pennsylvania,† with evident reference to its moral and social system only, "is part of the common law of this State. . . . Its foundations are broad and strong and deep; they are laid in the authority, the interests, and the affections of the people. Waiving all questions of hereafter, it is the purest system of morality, the firmest auxiliary, and only stable support of all human laws. It is impos-

* "Laws of Nations," sec. 2, vol. i., 434.
† Updegraff *vs.* Commonwealth, 11 Serg. and Rawle.

sible to administer the laws without taking Scripture as their basis. . . . An oath, in the common form, on a discredited book, would be a most idle ceremony."

And, to the like purpose, it will suffice to quote Chancellor Kent, as to the State of New York.* "Christianity, in its enlarged sense, as a religion revealed and taught in the Bible, is not unknown to our law. The statute for preventing immorality consecrates the first day of the week as holy time, and considers the violation of it as immoral. . . . The act concerning oaths recognizes the common law mode of administering an oath, by laying the hand on and kissing the Gospels." And, in the same connection, he says: "Whatever strikes at the root of Christianity tends manifestly to the dissolution of civil government." Again: "Blasphemy, according to the most precise definitions, consists in maliciously reviling God or religion, . . . reviling Christianity through its author. . . . Such offenses have always been considered independent of any religious establishment, or the rights of the church. They are treated as affecting the essential interests of civil society."

If all this be law, municipal law and organic law, surely the quiet Christians, who, in addition to taxpaying, yield such voluntary tribute to the state as I have instanced, by supporting the institutions of religion, ought to take their stand upon the laws and insist upon the right of children to learn the elements of Christianity in the public schools—to form some acquaintance with the Bible. To this purpose the Supreme Court of Pennsylvania speaks pungently, when it asserts the emptiness of "an oath upon a discredited book." Discredit and eject that Book, and you "strike at the root of civil government."

But here and there a taxpayer sets up a grievance. It may be well to deal with this class of complainants as we deal with those excellent citizens, the Quakers. We do not abolish the militia, nor exempt them from supporting, by their taxes, an institution which is required by the public good; but we do exempt them from bearing arms. Let all children whose parents object to their presence when the Bible is read, be excused from attendance at such exercise. But then, not to furnish children with a play-spell, on such professions of grievance, let the same children, for an equal time, be exercised in the reading and hearing of the national and State constitutions, and sundry municipal laws.

* People *vs.* Ruggles, 8 Johnson, 290.

There are some who will never be satisfied with slight concessions, it is true. Must we overthrow the whole fabric of our laws to please them? When the Hindoos become as numerous in California as the Chinese are already, they will doubtless set up a grievance with respect to common schools, for which they pay taxes, unless the microscope is banished from such schools. "We cannot send our children to be instructed in the use of such a cursed instrument,"—such will be their plea,—"because we are taught that it is wicked to feed upon animal life; and this mischievous invention of the enemies of our holy faith leads our children to suppose that they cannot drink water, or eat a fig, without losing their caste and becoming reformed Hindoos, or not Hindoos at all: its optical perversions being such as force them to infer that water is alive with all manner of eels and fishes, and that figs are full of little goats and camels."

How should we answer the Hindoos? For aught we see, the answer we should give them is precisely the answer which we must return to all those who insist that we should turn the Bible out of our common schools.

Those who make this claim are of two classes: the rabid infidel or atheist, on the one hand; and those who make the syllabus of Pius the Ninth part of their creed, on the other. It is with reference to such citizens that we are now considering the question of "Theology in the Public Schools." Let us define more carefully what is meant by theology.

We fall back upon Blackstone, as already quoted. Theology as a rule of faith is, whether rightly or the contrary, absolutely excluded; but theology so far as it recognizes the existence of a creator, and the moral duties resulting therefrom, is requisite to form the citizen to the laws and constitutions of his country; that is, to make him a good citizen. As establishing this, nothing can be more to the purpose than the following words of Chancellor Kent, delivered in a noted case, from the bench of the Supreme Court:

"Blasphemy against God," he says, "and contumelious reproaches and profane ridicule of Christ or the Holy Scriptures, which are equally treated as blasphemy, are offenses punishable at common law, whether uttered by words or writings. . . . Nor are we bound, by any expressions in the constitution, as some have strangely supposed, either not to punish at all, or to punish indiscriminately, the like attacks upon the religion of Mohammed,

or of the Grand Lama; and for this plain reason, that we are a Christian people, and *the morality of the country is deeply ingrafted upon Christianity, and not upon the doctrines or worship of those impostors.*" *

Against the infidel, no need of more words. Until he has his way and pulls down the whole fabric of our civilization, he must be content to let others protect his life and property, and even his right, within decent limits, to utter and publish his communistic absurdities, and his fanatical hatred of all Christian society. To the disciple of Pius the Ninth we oppose a like consideration, based upon the *free* civilization of American Christianity. The law secures us in the right and duty of teaching the children of the republic the fundamental morality of the Bible, as a rule of conduct. When he answers, "But all this will conflict with the syllabus, by which we are bound to instruct and govern our children," we can only reply, the syllabus is the law of a foreign potentate, which we are not in any way bound to respect, because "the morality of the country is not ingrafted upon the doctrines of that instrument." If the Bible, as read in our schools, conflicts with your "syllabus," so does the constitution of the State and that of the nation; and if you send your children to the public schools, we shall teach them these constitutions, and you must pay your taxes. You can set up schools of your own, and teach the morals of the "syllabus" and of St. Alphonsus de' Liguori, destructive as they are of all the principles of American citizenship. You will be protected in so doing, because other children are taught to respect your rights under the constitution. It is no hardship that you should be taxed to support schools which thus define and defend your right to make your own children enemies of the whole fabric of American freedom, and cruel assailants of society as organized to preserve and perpetuate it.

The spirit of Romanism is not changed; but the letter of its law has essentially changed the relation of all Romanists to free states, since the publication of the syllabus of the late Pope, in connection with his assumption of infallibility. We might differ dogmatically with the late Archbishop Carrol, of Baltimore, or with the good old Cheverus, of Boston; but they were nurtured in those Gallican maxims of which Bossuet was the great

* See, also, on this case, Judge Allen, etc., 33 Barber, p. 567.

expounder, and under which they sheltered themselves, in their conformity to the free laws of America. They were good citizens. But it is the misfortune of the present generation of American Romanists that their foreign oracle has compelled them to choose between being good citizens or good Papists. If we teach their children the American constitution and that of our State, in our public schools, they are spoiled as Romanists. For example, we teach them (1) the liberty of the press; (2) liberty of conscience and of worship; (3) liberty of speech; (4) the power of the state to define the civil rights of ecclesiastics; (5) that the church may not employ force; (6) that the civil law must prevail over Papal laws; (7) that the free exercise of religions ought to be allowed in all countries; (8) that civil marriages are valid; (9) that the domain of *morals* may be treated apart from the decrees of pontiffs, and (10) that civil duty and allegiance may be taught and treated with a similar freedom. We teach all these things directly, or indirectly, in expounding the American constitution and the principles on which it rests. Should any American complain? Yet, in the creed of the Papist, every one of these principles is condemned by "infallible" authority, and nobody can maintain them without peril of salvation. Is it just that we should be called upon to turn the constitution out of our public schools in deference to our Romish fellow-citizens and their scruples? Why not? If every reading-book must be purged of the parables of our Lord, and if, because such citizens object, no pupil may be allowed to know anything about the Book, on which he may be called to swear in a court of justice, where are we to stop? Where shall we draw the line? For a hundred years of American freedom, the Bible and its maxims have been honored and, in some degree, taught in our public schools. Who is the worse for it? Certainly not the Romanists, who have derived from our State laws unbounded franchises, and from our State treasury immense endowments. They teach that no Romish state ought even to tolerate us, in a reverse of circumstances. Obviously, as soon as they become the majority, *we shall not even be tolerated.* May it not be wise for us to hold by our civil rights as heretofore understood? They are a better means of self-preservation than such as would be our sole resource should Rome obtain the majority, and begin to act upon the principles of the syllabus.

In short, we take our stand upon this rule: that no good

citizen can object to our schools on the ground of a simple and elementary use of the Scripture, and the inculcation of Scriptural morality, which has always been a feature of public-school instruction in this State. The citizen who objects must furnish a better system, to prepare the young for their moral duties and their civil rights, under a free constitution. When this better system is accepted by a majority of our people, it will doubtless be introduced. Till then—*nolumus mutari:* we see no reason for changing our institutions to suit the views and scruples of those who accept a foreign despot as the master of their consciences.

A. CLEVELAND COXE.

THE ISTHMIAN SHIP-RAILWAY.

THE question of a transit for ocean vessels through the American Isthmus has occupied the attention of the civilized world for the last three hundred and fifty years. The great benefits which such a work would confer upon commerce were fully recognized even in the days of Cortez, and each year since has increased its necessity. The question naturally arises, Why has this great work been so long delayed? The answer lies in the fact that the majority of mankind cling to old methods rather than adopt new ones, even when the old ones are far more expensive and less efficient. It matters not that the untried ones rest upon the most evident deductions which can be drawn from scientific research or undisputed facts. Until they are demonstrated by actual test, those who propose them are looked upon as visionary enthusiasts. The opposition to the introduction of the steam-engine, steam-loom, steam-boat, locomotive, and electric telegraph furnishes abundant evidence of the hesitancy and reluctance with which even the most intelligent communities adopt new methods.

For over forty years futile efforts were made to deepen the mouth of the Mississippi by the antiquated means of dredge-boats. When these were found inadequate, the only solution deemed possible was the still more ancient and expensive one of a canal, to be cut through the eastern bank of the river to the Gulf.

A proposition to deepen one of the mouths of the river, by concentrating the force of the stream itself upon the bar, was ridiculed and pronounced impracticable by professional gentlemen of the highest respectability, and nothing but the offer to guarantee the absolute success of the plan was sufficient to induce the government to abandon the idea of a canal. In fact, $8,000,000 with which to commence the canal was voted by one branch of Congress, after this offer was made. But it was not until

a second commission of engineers was authorized by the government to investigate the merits of the jetty system that the proposition to attempt the experiment, even at the sole cost and risk of a few private individuals, was sanctioned by the government.

At the congress of distinguished engineers from all parts of the world, assembled in Paris in 1878, at the instance of Count de Lesseps, to investigate the question of interoceanic transit across the American Isthmus, the only plan considered was that of a canal, and the decision was that the problem should be solved by a sea-level one at Panama. Its cost was estimated at twelve hundred million francs, or about two hundred and forty million dollars. Subsequently, more careful estimates reduced this amount to $168,000,000, without including interest during construction.

In a locality where, for six months in the year, the rain-fall is incessant and enormous, it is not probable that such a work can be completed in less than twenty years. But if we assume that it can be done in ten, the interest at five per centum during this time would add $84,000,000 to this estimate; making a grand total of $252,000,000.

In the last half-century, science has made such marvelous advances that, in the department of mechanics, it has placed resources within the reach of the engineer which were totally beyond his grasp before, and it is now an axiom of the profession that all things are possible, if the necessary money to execute them be provided. Therefore, a sea-level canal across the Isthmus of Panama is not an impossibility.

The immense rain-fall, and the unhealthfulness of the climate, will interpose the greatest obstacles to the work. So long as the bottom of the canal is kept above the ocean level, the engineer will require only such drainage works and pumping apparatus as are necessary to remove annually water sufficient to cover, to the depth of about thirteen feet, the entire area drained by the canal. But, knowing the average rain-fall, he will be able to provide means for its removal from his excavations. When, however, the ocean itself is tapped, as it must be in cutting the canal twenty-eight feet below its surface, ordinary methods of drainage become impossible, and the quantity of water which will probably enter through veins and fissures below the ocean level is an unknown quantity, which engineering science cannot determine in advance. Yet even this formidable difficulty may be overcome, if the additional amount of money be provided. The success which has

attended the recent subscription to this enterprise seems to prove that there are many people ready to invest their money, on condition that they get five per cent. of it back every year during the time the canal is building, as is promised by the Universal Interoceanic Canal Company. As sixty million dollars are already subscribed to start the canal, on these terms, we may fairly conclude that subsequent subscriptions will be sufficient, if judiciously used, not only to pay back five per centum of it annually, and to manage the rain-fall, but also to pump out such part of the ocean as may intrude itself into the works during construction. Annoying delays to commerce may arise from these extraordinary difficulties, but the fact that the shareholders have a five-per-cent. dividend-paying stock, tolls or no tolls, will stimulate new subscriptions until the canal is completed, or until this novel method of raising money fails.

Of the commerce which will pay the tolls of any transit route for ships across the Isthmus, three-quarters will probably be American, and as the charges will doubtless be in proportion to the cost of the works, it is a matter of prime importance to the commercial interests of the United States to secure the construction of them for the least practicable sum.

The total amount of this traffic has been estimated by the chief of the Bureau of Statistics, Mr. Nimmo, to be at present only one million six hundred and twenty-five thousand tons annually. The Panama projectors estimate it at six million tons.

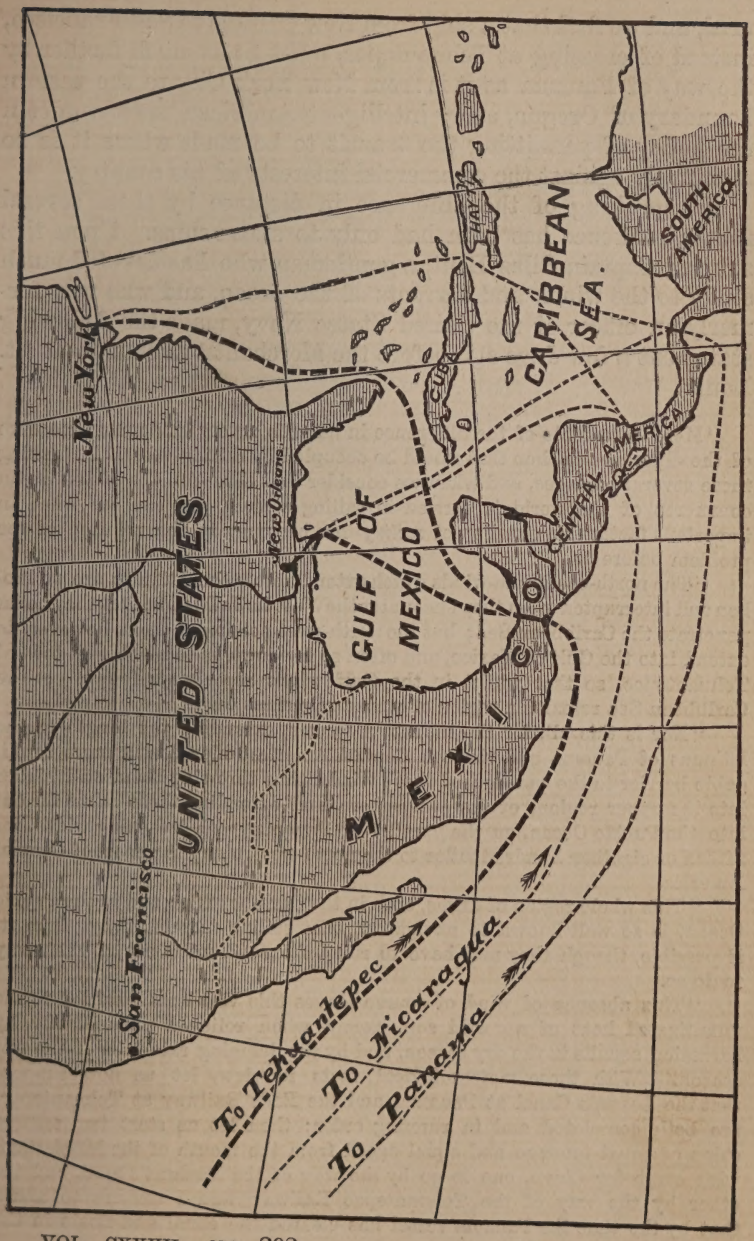
Although the estimate of Mr. Nimmo may be fairly criticised for the exclusion of a large amount of tonnage which he assumes will continue to go around the Horn to the eastward, it is probable that the real amount which the line will receive when opened will not exceed three million tons per annum. It is not likely, therefore, that the tonnage crossing the Isthmus within the next generation will support more than one line of ship-transit across it; and if we are to have moderate tolls, it is imperative that the transit be established upon that part of the Isthmus which will secure the shortest routes for our foreign and coast trade, because every additional mile which the vessel must travel will inevitably add to the cost of transporting the cargo it carries, no matter whether the increased cost results from higher tolls or a longer route.

Many persons will be surprised to learn that the isthmus which connects North and South America is as long as the dis-

tance between New York City and the mouth of the Sabine River in Texas.

Attention is here called to the accompanying chart. Panama is located near South America, and its distance from Tehuantepec, in Mexico, is one thousand two hundred and fifty statute miles. Any vessel leaving New York for San Francisco, China, or Japan must have at least that much additional distance added to her passage in the Pacific, as well as an additional distance in the Caribbean Sea, if she crosses at Panama instead of Tehuantepec, as the Isthmus lies nearly parallel with the route she must traverse. A steam-ship from New York or Charleston must travel fifteen hundred miles further to reach her destination than she would if she could cross the Mexican Isthmus. The cargo which leaves San Francisco for Europe must run the length of the whole Isthmus, and thus be delayed six or seven days more, than it would be if it crossed at Tehuantepec. Nor can these great delays be saved by the proposed canal at Nicaragua. It will be about twice as long as the Suez Canal, and steam-ships require two days in passing through the latter, although it has no locks. It is fair, therefore, to infer that thrice as much time would be consumed at Nicaragua, inasmuch as a canal there must have numerous locks. Any attempt to pass these locks rapidly will involve great danger to the lock-gates, and an injury of that kind may require weeks of delay for repairs. No advantage can, therefore, be claimed for the Nicaragua route over that of Panama, for the canal proposed at the latter place is but forty-five miles long and without locks. A passage through it could be made in one day, while at Nicaragua the crossing would probably require five or six days.

The valley of the Mississippi, so wonderfully productive, with its marvelous net-work of rivers ramifying through every portion of a territory larger than the combined areas of Germany, Austria, France, Spain, Italy, Great Britain, and the Netherlands, and capable of supporting, if peopled as densely as Holland, at least four hundred million souls, has but one natural outlet for its enormous productions—the mouth of its great river. The commerce of this immense region, if it seek a passage to the Orient or California by the Panama Canal, must be diverted out of its direct course a distance almost double the length of the Isthmus. It must travel two thousand two hundred miles further to reach those markets than by way of Tehuantepec. These distances are but faintly realized when thus stated, but when the map is meas-


New York
UNITED STATES
New Orleans
San Francisco
GULF OF MEXICO
MEXICO
CUBA
HAYTI
CARIBBEAN SEA.
SOUTH AMERICA
CENTRAL AMERICA
To Tehuantepec
To Nicaragua
To Panama

ured, and we find that a ship from New Orleans to San Francisco, instead of crossing at Tehuantepec, must go as much farther by the way of Panama as it is from New York City to the eastern boundary of Oregon, every intelligent American must condemn the policy of permitting the transit to be made where it is so manifestly against the commercial interests of his country.

In speaking of the difference in distance by these several routes, reference has been had only to steam-ships. Upon this subject, Captain Silas Bent, a gentleman who has devoted much study to the winds and currents of the ocean, and who was formerly an officer of the United States Navy, made the following statement a few days ago before the Merchants' Exchange at St. Louis:

"Mere statements of the difference in miles is a very inadequate measure of the difference in time that would be occupied by sailing-vessels in making these several passages, and when we consider that three-fourths of the ocean commerce of the world is carried in sailing-vessels, you can see what an important factor this question of *sailing-time* becomes in the solution of the problem before us.

"The north-east trade-winds which extend across the Atlantic are so broken and interrupted when they encounter the West India Islands, that they never penetrate the Caribbean Sea; but the north-west portion of them, however, do extend into the Gulf of Mexico, and often so far down as to reach well toward Tehuantepec, so that whilst in the Gulf winds are always found, yet the Caribbean Sea remains a region of almost relentless calms.

"Nor is this all, for the mountain ranges, extending the length of the Isthmus of Panama and through Central America, offer a still more formidable barrier to the passage of these winds, thus throwing them still higher into the upper regions of the atmosphere, and extending these calms far out into the Pacific Ocean, on the parallel of Panama, with lessening width, for fifteen or eighteen hundred miles to the north-west, along the coast of Central America.

"This whole region of calms, both in the Caribbean Sea and in the Pacific Ocean, is so well known to navigators, that sailing-vessels always shun it, if possible, though they may have to run a thousand miles out of their way to do so.

"This absence of wind of course leaves this vast area exposed to the unmitigated heat of a torrid sun, except when relieved momentarily by harassing squalls in the dry season, and by the deluging rain-falls of the wet season. With these meteorological facts in view, let us now suppose that the Lesseps Canal at Panama, and the Eads Railway at Tehuantepec, are both completed and in running order; then let us start two sailing-ships of equal tonnage and equal speed from the mouth of the Mississippi, with cargo for China, one to go by the way of the Panama Canal, and the other by the way of the Tehuantepec Railway, and I venture to affirm that by the time the Panama vessel has cleared the canal and floats in the

waters of the Pacific, the Tehuantepec vessel will have scaled the Isthmus and be well on to the meridian of the Sandwich Islands; and that before the former vessel can worry through the fifteen or more hundred miles of windless ocean before her, to reach the trade-winds to the westward of Tehauntepec, the latter will have sped five thousand miles on her way across the Pacific, and be fully thirty days ahead of her adversary. For it is a fact worth mentioning here, that the strength of the north-east trade-winds in the Pacific, as well as the maximum strength of the northern portion of the great equatorial current in that ocean, are both found on or near the parallel of latitude of Tehuantepec, the former blowing with an impelling force to the westward of ten or twelve miles an hour, and the latter with a following strength of three or four miles per hour."

In considering this important question from a military point of view, the superior advantages possessed by Tehuantepec over Panama and Nicaragua will be apparent to any one who will examine the map. A few iron-clads and torpedoes placed in the narrow channel between Yucatan and Cuba, and as many more in the Florida channel, would defend the entire Gulf of Mexico against almost any naval force that could be concentrated in them; while it would be simply impossible to isolate as completely the Caribbean Sea, with ten times as many iron-clads. It would be almost impossible for the United States to hold the Panama or Nicaragua canal against such a naval force as either France or England, with its present navy, could bring to bear against it.

Two very important railroads are now being rapidly constructed in Mexico by American companies: one extending from Texas, and the other from New Mexico, to the city of Mexico. A very superior railroad is already built from the city of Mexico to Vera Cruz. This latter city is only one hundred and nine miles from the mouth of the Coatzacoalco River, which will be the entrance to the ship-railway. A railroad from Vera Cruz toward the mouth of the Coatzacoalco has already been commenced. By these railroad lines, a very large body of troops could be rapidly concentrated in Tehuantepec to protect the works against a hostile land attack. The gulf end of the railway would be at least thirty miles in a direct line from the gulf coast, and the Pacific terminus of the road would be fourteen or fifteen miles from the Pacific coast. Both ends of the road would, therefore, be beyond the reach of the guns of an enemy's ship, unless it entered through the Coatzacoalco River or the jettied channel of the lagoon on the Pacific side—both of which channels could be easily and cheaply defended by torpedoes. In addition to this,

the ship-railway would be located on the territory of a powerful and friendly republic, whose history has not only proved its aversion to European domination, but has shown its power to deal successfully with an invasion of its territory. We have, therefore, the assurance that Mexico itself is able to protect, very effectually, the ship-railway, without the aid of any other power. On the other hand, we have no assurance that the interests of the small and much less powerful states of Nicaragua and Columbia would not be enlisted in favor of European intervention. It is not many years since a convention was concluded between France, England, and Nicaragua, by which the integrity of Nicaragua was guaranteed by its two powerful allies.

It would be idle to undertake to defend a canal at Nicaragua or at Panama with American troops, because of the difficulty of sending them overland to either point, and of maintaining them in such an unhealthy region, and so far from any available base of supplies. This difficulty would be greatly enhanced if it should happen that the citizens of either country favored such European intervention as the United States would feel compelled to oppose.

If *a canal* were equally practicable at Tehuantepec, no intelligent American would hesitate a moment to give it the preference over any other route. But, are the immense natural advantages of that location to be disregarded because a canal cannot be used, when the most eminent ship-builders and many of the ablest engineers in the world do not hesitate to declare in print, over their own signatures, that a ship-railway is not only practicable, but that it is really better than a canal?—that it is much cheaper to build; that it can be more quickly constructed; that the largest ships can be transported much more rapidly, and with equal safety on it; that it can be more easily enlarged to meet the future demands of commerce, and that its maintenance will be less costly?

But say some, "You cannot transport ships by rail without straining them. It is impossible to take a laden ship out and put it upon a dry-dock without removing her cargo. It will burst her sides out, and she will be bent and strained while in transit over the railway." These objections are advanced by men who have not studied the principles of ship-building or engineering, and who are therefore not competent to form a correct judgment

on the subject. The captain of an ocean steamer, and the engineer who plans and builds her, follow professions that are widely different. The engineer would be as unfitted to command and navigate the ship, as the captain would be to deal with the mathematical processes by which the materials in her hull and engines are proportioned to bear the various strains which each particular part must resist. Men who are competent to investigate and determine the infinite variety of strains which the boilers, engines, propeller, shaft, and various parts of the ship must bear, while the vessel is plunging, twisting, and bending under the fury of a storm, are certainly competent to pronounce upon the practicability of transporting her upon a well-built railway. There is no lack of testimony from men of this kind in favor of it. But the transportation of vessels upon a railway is by no means an untried experiment, and therefore it is not wholly dependent upon the opinion of experts.

Within four miles of Washington, a railway, composed of four rails, transports canal-boats from the Potomac River to a canal which is about thirty feet above it. The boats are conveyed over the railway several hundred feet to the other level. The total load each trip weighs about three hundred tons. The canal-boats are carried in a tank of water* about seven feet deep, yet the water does not burst out the sides of the tank, although there are no beams across the top of it to tie its sides together. Ships have their sides strongly tied together by their deck-beams, and they are rarely more than seven feet between decks. There is no cargo which will tend to burst out the sides of a ship more than that of grain in bulk, and grain is not as heavy as water. Consequently the ship's sides have the advantage of the canal-boat tank in the fact that they are strongly bound together by the deck-beams, whilst the tank has nothing at all comparable in strength to sustain its sides. There is no sea-worthy iron or wooden vessel afloat upon the ocean whose sides are not sufficiently strong to resist bursting, if the vessel were put in a dry-dock and filled with water to her main deck, and this would be a much greater internal pressure than any cargo could create.

If it be supposed that the ship will be bent in the direction of

* I do not approve of the plan of carrying vessels in tanks of water, over long distances, as it involves the cost of carrying a great weight without compensation.

her length, we have only to inquire into the pressure which the vessel and car impose upon the road-bed to have such fear banished at once. Trains of one thousand tons weight are not uncommon upon ordinary railways. I have been assured by a gentleman of great experience in railway management that he has seen a freight-engine, of the Mogul pattern, haul one train of eleven hundred tons on the Illinois Central Railroad. If six such trains were placed side by side, they would represent the weight of one of the very largest steamers when loaded. There would be no fear of the ground giving way beneath these six trains, although a large portion of the earth under them would sustain no portion of the load when at rest, because each end of an American railway car rests on a truck with four wheels, while fifteen or twenty feet of the road under the middle of each car has no load whatever upon it. No wheels are placed under this part, as they would interfere with the passage of the car around curves; but as the ship-railway will be absolutely straight, the wheels can be placed as close together under the ship as they are at each end of the car.

In the ship-railway cars the wheels will be two feet in diameter, and will be placed three feet apart on the rails. It must be evident that if we place as many wheels under the ship as are required in the six railway trains just referred to, the ship may be of a weight equal to them, without imposing any more pressure upon the rails at each point of contact than is imposed upon the wheels supporting the six railway trains. The pressure of the driving-wheels of a locomotive at rest is about six and one-half tons for each wheel. The pressure on the ship-railway will be limited to five tons per wheel. The rails and wheels will, however, be quite capable of bearing twenty tons on each wheel, and, to provide for any inequality in the rails, steel springs will be placed over each wheel. As each one of these wheels will have an independent axle, and be disconnected from any other, the derailment of the car will be almost impossible. An additional safeguard against derailment will be found in the slow rate of speed (eight or ten miles an hour), and in the fact that each division of the road will be straight. Turn-tables, long enough to carry the ship and car, will be placed where a change of direction in the road becomes necessary. By this means the car and its burden may be turned to correspond with another straight reach of track. From the surveys thus far

made, it is not anticipated that more than three of such turn-tables will be required on the entire line of road.

A misapprehension exists regarding the danger of bending the ship where a change of grade becomes necessary. At Tehuantepec, one foot in one hundred will be the maximum. From a horizontal plane to this grade, the change can be made so gradual in the distance of one mile, that a ship four hundred feet long would not be bent one inch out of a straight line if it conformed to the vertical curvature of the track. But the springs under the car will prevent even this little bending.

It is not generally known that all materials used in the construction of ships are elastic, and that large iron vessels bend and twist during storms to an extent that seems impossible. No iron bridges are so constructed but that the elasticity of the iron permits them to bend under the weight of an ordinary freight train. Spans of four hundred feet when tested with heavy loads usually bend from four to five inches, and a ship of that length will bend quite as much without injury. Wood being more elastic than iron will bend much more. Those who have crossed the Atlantic have not failed to hear the creaking of the cabins during storms. This could not occur if the hull did not bend and twist to some extent. The fear of a ship being strained while in transit is founded in a want of knowledge of the strength of ships, and of the capability of the earth to sustain the load. Fifteen hundred wheels exerting a pressure of five tons each will create seven thousand five hundred tons pressure. This weight distributed on twelve rails would require one hundred and twenty-five wheels on each rail. The outer rails would be about forty feet apart, hence the ground covered by the wheels would be equal to a space three hundred and seventy-five by forty feet, or fifteen hundred square feet. The pressure, therefore, would be only one-half of a ton to each square foot of earth.

The question has been asked, "How can you equalize this pressure upon the various wheels?" The car which carries the ship will be made of plate-iron cross-girders of sufficient depth and strength, and of such number as are needed to carry the entire load, even if each girder had no support between the two outside rails of the track; therefore the weight from the keel to each side can be distributed over all the rails of the system. In distributing the pressure lengthwise, it should be borne in mind that the ship possesses enormous strength to resist bending, and,

beside this, that she cannot bend in the direction of her length on the car, unless the earth gives way under her, hence no longitudinal strength in the car itself is really necessary. The midship section, being much the heaviest, would produce a greater pressure per foot than an equal length of the ends, but this section is balanced by leaving a certain portion of the ends unsupported. The car which would carry a ship four hundred and fifty feet long would not be over three hundred and fifty feet, hence fifty or sixty feet of each end of the ship would project over the ends of the car. In this way, the wheels at the ends of the car would be made to bear as much as those in the middle. In floating-dock, vessels usually have a very considerable portion of their ends without support. Their sides, at the bow and stern, rise directly from the keel, and give great strength to these parts. An intelligent and reliable correspondent wrote to me recently that he had witnessed the long and tedious launching of the Great Eastern. She was parallel to the river, and the ways only occupied one hundred and fifty feet of the middle of the ship, leaving two hundred and sixty-four feet of each end without support.

It is not important that each wheel should bear exactly as much as its neighbor. Although five tons would be the maximum average load, each one would be tested to bear at least four times as much, and in practice it might occasionally be required, by inequalities in the road, or even in the distribution of the load, to bear twice as much. The car-wheels on railways are frequently compelled to bear three or four times as much, while the trains are moving at high speed, as they do when at rest.

Let us now compare this pressure of half a ton per square foot, imposed by a large vessel on the road-bed, with that which we see applied every day to the earth. A man compelled to use crutches carries his whole weight on the ends of them. On a hard dirt road they leave scarcely any sign of the pressure. Assuming his weight to be one hundred and eighty pounds, and the end of each crutch to be equal to two square inches, his weight will be carried upon one thirty-sixth part of a square foot, which is equivalent to six thousand four hundred and eighty pounds pressure to the square foot, or about six and a half times the pressure that would be brought to bear by the weight of one of the largest class of steamers. A horse, when trotting, carries the weight of himself and rider on but two of his feet at

each step; yet on a dry dirt road his shoes hardly leave their imprint. The area of each shoe will not exceed twelve square inches. If the horse and rider weigh twelve hundred pounds, the pressure would be more than seven times as great as that which the earth would sustain under the ship-railway, with its heaviest load. A brick wall, only one story high, presses the earth more heavily per square foot than the heaviest ship could on the ship-railway. When ships are launched, the two narrow launching-ways which carry them press the earth with from three to five times as much force per square foot without settling.

It is a mistake to suppose that ships are not sometimes taken out upon dry-docks with full loads in them. One of the largest German steamers, fully loaded, was taken out within the last twelve months and put upon a dry-dock in New York without the slightest injury, and vessels with their cargoes are frequently taken out on the docks in England and elsewhere.

The bill before Congress in aid of the ship-railway requires that a guarantee of six per centum dividends on fifty million dollars, or two-thirds of the capital stock of the company, shall be made by the United States for fifteen years, the guarantee not to include the principal. It is only to take effect after the entire practicability of the plan is proven. Ten miles of road, and the necessary terminal works to take a loaded ship out, are to be first built, and then tested by transporting the ship and her load over the ten miles of railway at a speed of at least six miles per hour, and replacing her in the water again without injury to the ship, the railway, or the terminal works. Even when this is done, the guarantee is only to attach for five million dollars. As each additional section is completed and tested in this way, the guarantee for a proportional amount is to attach. As each ten millions of stock is guaranteed, the severity of the test is increased. For the first ten millions, the weight of ship and cargo is to be two thousand tons. The next test will be twenty-five hundred; then three thousand; then thirty-five hundred; and finally four thousand tons. In consideration of this guarantee the company agrees: *first:* to transport, for ninety-nine years, the ships, troops, property, and mails of the United States free. *Second:* to carry no other war-vessels, or contraband of war of any nation at war with the United States. *Third:* that all net receipts in excess of a sum sufficient to pay six per cent. dividends shall be paid to the United States, to refund any

advances they may have made on account of the guarantee. *Fourth:* to give the United States the right to reduce or increase the tolls at her pleasure, provided the reduction shall not prevent the earning of eight per centum dividends. *Fifth:* to give her the right to discriminate in favor of American and Mexican commerce when fixing the tolls.

To avoid any question as to what are net receipts, the company agrees that one-half of the gross receipts shall be deemed sufficient to pay operating and extraordinary expenses, repairs, etc., so that when the total receipts are six million dollars per annum, the United States will incur no liability under its guarantee.

The grant from Mexico gives to the company the right to offer these advantages to any other foreign government that will aid the enterprise with money or guarantees.

The popular feeling in the United States has unquestionably, until quite recently, been favorable to Nicaragua, and many arguments have been advanced in its behalf. Every one of these is doubly powerful when applied to the Isthmus of Tehuantepec. The whole question between these two locations must depend on the answer to this inquiry, namely: "Is the ship-railway practicable?" No engineer, so far as I know, has yet publicly expressed any doubt of it. On the contrary, some of the ablest engineers and ship-builders in the world have expressed implicit confidence in its practicability.

If we consider the healthfulness of the two isthmuses, there can be no question as to the superiority of Tehuantepec. If we look at the shortness of the routes, Tehuantepec still has the advantage. When we compare the canal and its numerous locks and the delays incident to their use, to say nothing of the danger of their derangement, with the certainty and celerity of transit by railway, the superiority of Tehuantepec is no less marked. It is claimed that the Nicaragua Canal will complete our coast line between the Atlantic and Pacific, but how much more secure and complete will it become, if we exclude from it a foreign coast line on the Isthmus as long as that which extends from the capes of Florida to Newfoundland! This will be done by the ship-railway at Tehuantepec.

Much has been said and written of the importance of cultivating more intimate commercial relations with Mexico, and no thoughtful merchant or statesman can fail to concede it. In the

first place, she has a government fashioned after the plan of our own, and we should on this account, if on no other, be bound to her by the strongest sympathy. Her soil is wondrously fertile and productive. Hidden in her mountains, within the easy reach of enterprise, lie stores of gold and silver in fabulous amount. Many articles of commerce which we require, but cannot produce, are brought to great perfection there, and her people require innumerable manufactured articles, commodities, and productions which we could supply to them, with great profit to us and advantage to them. There is, indeed, no good reason why we should not enjoy almost all of her commerce.

There can be no doubt that the construction of the ship-railway at Tehuantepec will greatly stimulate intercourse between us, and it must bind the two nations more firmly together, socially, politically, and commercially.

I will not, at this time, dwell upon this important topic, but will simply refer to the following table, taken from official records, showing the commerce with the various nations therein specified:

British India	$423,000,000
Australia	375,819,000
China	198,000,000
Hong-Kong	112,000,000
Peru	75,000,000
New Zealand	71,782,000
Chili	58,000,000
Japan	55,230,000
Philippine Islands	34,763,000
Tasmania	14,835,000
Hawaiian Islands	7,524,000
	$1,425,953,000

Of this vast commerce, the United States enjoys but four per cent., and even in this trifling percentage the Mississippi valley is debarred by the Isthmus from all participation.

Our sister republic of Mexico has been most liberal in concessions in aid of the ship-railway. Realizing the great benefits that will inevitably follow its completion, she has given everything in her power to make it a success. *First.* She exempts all property of the company and its capital stock from taxation during the entire period of ninety-nine years. *Second.* She permits the importation, during the like period, of everything

necessary for the construction and operation of the railway. *Third.* She gives a right of way across the Isthmus a half mile in width. *Fourth.* She donates to the company a million acres of the public domain. *Fifth.* She exempts all the money required to pay debts and dividends of the company abroad, from the present export duty of six per centum; and *Sixth.* She agrees to protect the works with her army and navy, at her own expense. But this is not all. Anxious to cultivate more intimate relations with us, Mexico offers to the United States government rights and privileges greater than any ever before extended by her to either government or individual. She says to the United States: You may regulate, at your will, the tolls of this company. You may reserve the right to discriminate in favor of your own commerce. You may accept an assignment of the revenues of the road, and our courts will protect you in its enjoyment. Come, join us in consummating the most important work of modern times—a work which, when completed, will bring manifold blessings to you and to us. What answer will the United States give to this urgent invitation? It comes from a nation which, but recently emerging from the throes of foreign invasion and domestic revolution, has, through the wisdom of her rulers, established herself upon a firm basis, and promises in time to rank high among the nations. Just now her treasury is depleted, and the masses of her people are poor, although there is probably no equal area of territory on the earth so rich in undeveloped wealth. But her present poverty has not prevented the exercise of a statesmanlike liberality in dealing with this great question. Her invitation is made to the foremost nation on the earth; one whose credit is second to none, and whose wealth and resources are illimitable. She offers an opportunity to solve the great problem of centuries, and to assert the Monroe, or rather the American, doctrine, not by idle declaration, nor by force of arms, but in a way to command the respect of the world. The United States to-day enjoys but five per cent. of her entire foreign trade: ninety-five per cent. of that valuable and growing commerce is controlled by foreign nations. Will the United States reverse these figures? or, will she disregard the overtures of Mexico, decline her liberality and reject her commerce by refusing to join with her in opening, for mutual benefit, the grandest commercial highway ever projected?

JAS. B. EADS.

THE EFFECTS OF NEGRO SUFFRAGE.

THIRTEEN years have elapsed since, by act of Congress, negro suffrage was established in ten States of the Union, and ten years since, by amendment of the federal Constitution, it was made universal throughout the nation.

The enfranchisement of so large a mass of new electors, and the instant elevation of so much of ignorance and pauperism to complete equality with wealth and intelligence, was never before, in the history of the world, wrought by a single legislative act. In several of the States it put the representatives of that race who alone knew anything of public affairs, or of private virtue, in a hopeless minority as compared with that race who had ever been barbarians save when they were slaves, and who were destitute alike of property, education, or morality. Whatever may have been the motives of those who inaugurated the scheme,—whether they were prompted by considerations of patriotic devotion to the public good and by a sense of justice to the helpless blacks, or whether they sought the perpetuation of partisan supremacy,—it must be admitted by their most devoted adherents that they took the risk of a tremendous political experiment. Desperate indeed must have been the ills that afflicted the body politic to justify a treatment so heroic.

We are not yet sufficiently removed from the strife evoked by these measures to do impartial justice to the motives of their authors, but time enough has elapsed to enable us to see something of the practical workings of the hazardous venture, and as he who lives in the present and for the future is concerned more with consequences than with causes, it will be at once more easy and more profitable to estimate effects than to divine motives. The most superficial effect of the enfranchisement of the blacks has been to give them the balance of power in

all our recent political struggles. There has been no presidential election, since the suffrage was conferred upon them, in which the result would not have been different if their votes had been eliminated from the contest. Certainly this is true of the last two elections. In that event, Mr. Tilden's majority would have been enormous before the people and quite overwhelming in the electoral college. He would have carried every Southern State, and a considerable number of Northern ones in which, by the assistance of negro votes, Mr. Hayes was successful.

In 1880, the subtraction of the negro vote would have given to the Democrats the States of Ohio and Indiana both in October and November, and in the latter month would have given to Hancock New York, Connecticut, and perhaps other Northern States. While the adherents of the successful party will, of course, consider the effect of the negro vote beneficial to the country in preventing such results, it is a noteworthy fact that the *white race*, who have made America what it is, and who are regarded by foreign nations as constituting the American people, have twice, if not thrice, been, by negro suffrage, denied the rulers of their choice.

But this is a mere surface view of the subject, and these are, it is to be hoped, only the temporary and accidental results of negro enfranchisement. Its deeper and more lasting effects are to be found in that demoralization of our politics which has sprung from the debasement of the elective franchise. It was madness to suppose that the body of electors could be swollen by the sudden injection into it of such an enormous mass of ignorance, pauperism, and immorality without debasing the value of the franchise in popular estimation, and without breaking down, in great measure, our reverence for the ballot-box as the supreme arbiter of our disputes. That these effects have already been partially wrought is quite apparent. Never was the atmosphere of American politics so rife with charges and suspicions of bribery and fraud in conducting elections and ascertaining their results as in the last ten years, and these things seem to increase with each recurring election. At the South, there can be no doubt that bad men engage in and good men shut their eyes to political practices which, in other days, all parties would have made haste to visit with exemplary punishment. At the North, the raising of large sums of money is deemed essential to the inauguration of every canvass, and the

question of how much money the friends of a candidate for nomination can raise, is more often asked in party conventions than the question what are his qualifications for the office.

Returning-boards organized to count in the party candidates, ballot-boxes surrounded by swarms of paid party officials, shameless assessments on the salaries of public officers, cipher dispatches breathing corruption in every line, electoral commissions composed of the highest in the land, where each member is sworn to decide like a judge, and where each member votes like a partisan,—these are the new devices, these the confessed practices which shame our recent politics, and are fast breaking down American reverence for the ballot-box. Some of them are the immediate, and all, perhaps, to some extent, the remote results of negro suffrage. Some are directly traceable to it, and all have sprung from that general political demoralization and that wide-spread popular belief that elections no longer elect which, if it did not originate with the enfranchisement of the blacks, certainly then received its greatest impetus. In the winter of 1876–7, a distinguished professor of a New England university delivered an address on the evils to be apprehended from the debasement of the suffrage by the wholesale enfranchisement of ignorance and poverty. President Grant, in his last annual message to Congress, dwelt upon the same topic, and suggested that some steps be taken to remedy the evils likely to ensue from it.

These views met the approval of the "New York Tribune" and other leading journals, and while it is true they found utterance at a time when the then recent presidential election was supposed, perhaps, to have resulted disastrously to the Republican party, and they have not been followed up by similar advice under circumstances more favorable to that organization, their inherent wisdom is not thereby, we may venture to hope, essentially diminished.

But it is in the Southern States that the blighting effects of negro suffrage are most apparent, and yet, strange to say, it is there too that we find the greatest compensatory benefits resulting from it. In 1867 the negroes of the South were mere inhabitants, not citizens of the States in which they dwelt. Civil rights, to a limited extent, had been conferred upon them, but in many respects they were an alien people—dwelling among but not a part of the population by which they were surrounded.

That one-half of the people of a State should be legally

deemed and treated as outcasts and pariahs, of a caste so low as to leave them virtually at the mercy of the other half, would eventually have resulted in a most deplorable state of society. If the strong arm of the federal government had interposed for the purpose of enforcing perfect equality of civil and legal rights, and had provided for a slow and gradual acquisition of political equality by standards of time and education and property, it might not have subserved so well the party purposes of those who were foremost in the work of reconstruction, but surely it would have wrought better and more wisely for the republic.

The ballot indeed has won for the newly enfranchised every civil and legal right, but fearful has been the price which the country has paid for it, and direful the consequences. The reconstruction acts manifestly if not avowedly proceeded upon the theory that the whites were unfit to rehabilitate their upturned governments, and that this duty must be devolved upon the negroes. While the whole of the latter were suddenly enfranchised, large classes of the former, embracing the most cultured and experienced, were disfranchised, and as the ingenuity of President Johnson's legal advisers sought to limit the number of the disfranchised classes, successive acts of Congress made them yet more sweeping. While the scheme was nominally submitted to the vote of the people of the States affected by it, no election was permitted to stand that did not result in its favor, and in some of the States repeated elections were ordered until the desired result was compelled. When negro domination had by these methods been established, there ensued a scene of incompetence, profligacy, and pillage, the like of which has never disgraced the annals of any English-speaking people.

It was wealth plundered by pauperism, intelligence dominated by ignorance, America ruled by Ethiopia.

A vivid picture of the disgraceful scenes of this period is set forth in the "Prostrate State," a work written by J. S. Pike, a Northern Republican, and a staff correspondent of the "New York Tribune." If this book could be put into the hands of all our people, it would give them a more truthful idea of the reconstruction era than is likely to be derived from the pages of "A Fool's Errand" and of "Bricks without Straw." Mr. Pike's book fails, however, to afford an adequate conception of one of the notable features of these grotesque caricatures on government, namely, their utter want of power to maintain their own existence.

There never was a day during the time that they were permitted to live when five hundred resolute men could not have overthrown them in a few hours. And this fact was as well understood by the rulers as by the ruled. It found signal illustration in the city of New Orleans, on the 14th of September, 1874, when a few hundred members of the "White League" in less than fifteen minutes put to rout the whole force of the State government, who were advised in advance of the intended attack, and had prepared to resist it. After a few ill-directed volleys, the State forces (negroes with a few white allies) fled in every direction,—the rank and file to the swamps, and the leaders to the United States Custom-house,—and in all the State of Louisiana not a hand was raised to restore them to power. Their overthrow was complete, and to all appearances final, and so quickly accomplished that a distinguished gentleman visiting the city at the time remarked that he "was sitting in the St. Charles Hotel" when "the revolution" broke out, and though he hastened with all convenient speed to the scene of conflict, which was five hundred yards distant, "the revolution" was over before he could get there. But at a word from Washington the whites quietly remitted the reins of government to the hands of their trembling rulers, and returned to their obedience.

As easy as it was to throw off these shackles by force, it was well-nigh impossible to do so by the ballot-box. Apart from the numerical majorities which the blacks possessed in several States and large sections of other States, so skillfully were the election laws framed for the promotion of fraud, and so unscrupulous the men who counted the votes, that it was simply impossible by any ordinary method of conducting elections to dislodge them from power. Mr. Pike thus clearly states the situation in this regard:

"One of the great discouragements to regular and sustained efforts on the part of the whites to resist negro sway in South Carolina has been the frauds practiced on the ballot-box. These have been so great and audacious that voting became a farce. The party in the majority counted in whomever they wanted elected, without any reference to the votes cast. The following testimony discloses a worse state of things in South Carolina on this subject than ever was before seen since voting was invented. It shows that men who were elected by a majority of thousands were deliberately counted out, and their adversaries declared elected by overwhelming majorities. The result has been that at the last election no voting was done in numerous districts, except by the dominant party in the State."

At length, when longer endurance became impossible; when taxes, already swollen a thousand per cent. on former rates, were mounting still higher and threatening confiscation of all property; when, despite these enormous levies, the bonded indebtedness grew year by year more enormous; when millions of acres of land had already been forfeited for unpaid taxes;* when all industries were paralyzed, and the very soil seemed reluctant to bring forth its accustomed fruits, the maddened whites burst their bonds—burst them under the forms of law and the guise of the ballot-box, since federal power would not otherwise permit, but by means in some instances, certainly, which a firm believer in the efficacy of the ballot-box would find it difficult to defend. For crimes against liberty, which by comparison sink into insignificance, the people of England brought a king to the scaffold and drenched their island in blood. For misgovernment and corruption far less disgraceful and ruinous, the people of France guillotined a royal family and exterminated the flower of their nobility. Let not those who have not felt the bitterness of such a tyranny judge the whites of the South too harshly. Let it be remembered that in no time or clime have the Caucasian race ever consented to live with the inferior ones *save as rulers.* The British in India, the French in Guiana, the Dutch in South Africa, the Spaniards in South America, and our own forefathers on this continent, have abundantly demonstrated that the white man will not be governed by the black man or the red. Sentimentalists may deplore, but statesmen must recognize this as a fixed and irreversible fact.

Numbers in such a matter count for nothing. Not all the navies of the world could transport Chinese enough to our Pacific slope to establish them there as the governing race. The Congress of the United States might enfranchise them, but the armies of the United States could not keep them permanently in power. No county in Massachusetts or New York would long submit to be governed by any number of negroes who might suddenly be transplanted from the rice-fields of Carolina or the canebrakes of Louisiana.

* In 1875, one-fifth of the entire area of the State of Mississippi had been forfeited for unpaid taxes. The enormous amount of 6,500,000 acres of land (10,000 square miles) had been swallowed up by taxation which was virtually confiscation. This was an area larger than the States of Massachusetts and Delaware combined.

The Northern man believes that the political solidity of the Southern whites bodes evil to the republic. The Southern man knows that the solidity of the blacks, if allowed to grasp the reins of power, involves ills so great that any remedy is better than the disease. Happily for the country, unmistakable signs point to a disintegration of this solidity on both sides. If the whites of the South, on the one hand, are made to see and feel that a Republican administration at Washington neither means a relegation of their States to negro domination, nor exclusion of their section from the practical benefits of government, nor an ostracism of themselves from public affairs; and if the negroes, on the other hand, can be made to believe that a Democratic administration does not threaten their enslavement or disfranchisement, this disintegration will grow daily more rapid. But then, undoubtedly, a new evil will appear, and indeed has already begun to appear in some sections. The deep devotion of the negro to the Republican party, and his belief that his own salvation depended upon its success, has in the past enabled thieves and scoundrels to plunder in the name of Republicanism; but it has at least had the merit of preserving the negro himself from venality in the exercise of his ballot. When elections cease in his imagination to be fraught with his liberty, and he realizes that he has no other interest in them than the rest of the community, the enormous negro vote of the South will afford a field for the arts of the demagogue and the briber such as the world has never seen. Without property or thrift, highly emotional and painfully timid, venality is as certain to follow as night follows day. They will be bought and sold, and coaxed and bullied by unscrupulous men, and led in droves to the polls, if not like "dumb-driven cattle," certainly most unlike free men who "know their rights, and, knowing, dare maintain."

That this will become the complexion of Southern politics when the races cease to be divided on the race line, is as certain as any proposition in political ethics. Even where the vote is not the subject of individual purchase, it will naturally drift, as recently illustrated in Virginia, to the side of demagoguery and of bad faith in public morals. How are republican institutions to be preserved under such circumstances? Let us look the question fairly in the face, discarding all prejudice, and laying aside all passion. What is the remedy for these evils? How is a government to be carried on by universal suffrage

where a majority of the electors are so unfit for the trust, and where the difficulty is immeasurably increased by antipathies of race and the memories of two hundred years of masterhood on one side and slavery on the other? Eventually, perhaps, by education and the healing effects of time, but this is a slow process. Two full generations will elapse, even with the most lavish expenditures of money (and nobly are the whites of the South meeting the burden of such expenditures), before the mere book education can be made general.

White immigration would promise ultimate relief if it could be induced, but population and capital alike shrink from contact with negro association, and from the danger of negro rule. It is quite commonly said that immigration is repelled by Southern solidity and intolerance of political dissent. That this is erroneous, and that the true reason is found in the unwillingness of white laborers to come in contact with the negro, and of capitalists to seek investments where his domination may bring confiscation, is abundantly demonstrated by the fact that Georgia attracts more capital and Texas more immigration than any other Southern States. Nowhere are the whites more solid or the Democratic majorities so large. It is the assurance of continued white supremacy that permits the soil and climate of these States to exert their natural attractions. Granting that education and immigration will ultimately solve the problem, what is to be the condition of the people of the South during all the weary years that must intervene?

How long will it take to eradicate that inborn sense of superiority which every white man feels, that instinctive recognition of his own inferiority that every negro evinces in his every action? How long has it taken in the Northern States? Is it not just as apparent there now as it is at the South? Will it ever cease to exist? So long as it remains, what sort of government must there be in States where a majority, or very large minority, of the electors are the recognized inferiors of the remainder in every aspect of life, save at the ballot-box, and this inferiority springs, not from the personal merits of the voters, but from the inextinguishable differences of race? How many years must elapse before some elegant and accomplished negro will lead out the mistress of the White House to a state dinner, or an American President be glad to wed his daughter to a millionaire whose face is as black as his diamonds may be glittering?

These are social questions, it is true; but how can perfect political equality co-exist with a social inferiority dependent, not upon personal merit or pecuniary advantages, but solely upon race, and where the social inferior threatens at every election to become the political superior? What madness will it be for the national government to attempt again, as the Hon. Geo. S. Boutwell intimates, to interfere for the purpose of adjusting these questions in favor of the blacks! They must be left to be settled by the people affected by them. In their settlement, what is most needed is a clear apprehension of the situation, and calm and dispassionate consideration on both sides of the Potomac and Ohio, and with this view the people on either side must fully understand certain fixed facts. The men of the South must understand once for all that the negroes, as negroes, and because their skins are black, can never be disfranchised. Their right to vote, as a race, is as fixed and irreversible as their freedom, and the fifteenth amendment to the national Constitution is no more likely to be repealed than the thirteenth.

They must understand further that governments cannot live by the means which revolutions justify, any more than health can be maintained by the strong medicines sometimes necessary to preserve life. The ballot-box must speak the unbiased verdict of all the lawful electors, and that verdict must be made wise, not by force or fraud, but by such limitations on the right of suffrage as will no longer leave intelligence and virtue at the mercy of brutality and crime. Standards of education and property must be enacted which for a time will disfranchise many, and to the attainment of which, by the rising generation, the State and national governments must afford every possible facility and aid. In this work the men of the North must aid and not obstruct. They must understand, once for all, that the Anglo-Saxon race will not be governed by the African, and, if they are wise, they will content themselves with aiding those who propose that the African shall be wisely, justly, and fairly governed by the Anglo-Saxon. They must never forget that they themselves forced this stupendous problem on the people of the South, against all their protests and all their struggles to prevent it.

They must hold as enemies to both sections, as fire-brands and pestilent demagogues, those who would stir the fires of sectional ill-will or race hatred in order to infuse spirit into a

canvass, or carry an election. They must not denounce the whole Southern people as negro-haters or bulldozers, but know and realize that everywhere throughout the South there are thousands of earnest, thoughtful, and patriotic men who spend anxious days and sleepless nights pondering a problem that seems impossible of solution. If the South, writhing like Laocoön in the coils of the serpent, sometimes strikes out wildly, blindly, madly, in vain attempts to extricate herself, it ill becomes those who fastened the monster upon her to deride or denounce her ill-advised and frantic efforts.

She has the right to demand from the people of the North, and especially from the Republican party, sympathy, not obloquy, counsel, not condemnation, and, even for the excesses and misdeeds into which her sufferings may hurry her, the tender compassion which dropped a tear upon the record of Uncle Toby's oath.

H. H. CHALMERS.

THE SUCCESS OF THE FREE-SCHOOL SYSTEM.

THE American system of public schools is doubtless the most characteristic, and is generally considered as the most vitally important of all the institutions which contribute to the well-being of the people. It is well known that this system originated more than two centuries ago with the Puritan colonists of New England, who thus early made ample provision, according to the measure of the times, for education, by establishing elementary schools, high schools, and colleges, upon the principle that it is the right and the duty of government to provide for the instruction of all youth, and that, for this purpose, every man should be held subject to taxation in proportion to his property. This principle—the primitive rock on which the public school is founded—long ago ceased to be peculiar to one section of the country. But by degrees it has at length come to be adopted, in substance, by all the States of the Union.

Up to the time of the Revolution, the advantages of free public schools had not been enjoyed beyond the limits of the colonies in which they originated. During the succeeding period of fifty or sixty years, efforts were made, with more or less success, to establish systems of public instruction in the States of the other sections of the country. These efforts were stimulated and aided by the policy adopted by the general government, whereby the sixteenth section of every township in the new States was reserved for the maintenance of public schools. The cause was also materially promoted by the weighty influence of the most eminent of the founders of the republic. That noble sentiment respecting the importance of the general diffusion of knowledge, to which Washington gave utterance in his farewell address, was at once accepted very generally as an axiom of political philosophy. The liberal provision for education contained in the consti-

tution of Massachusetts, which has been of inestimable advantage, not only to that State, but to the country at large, came from the pen of John Adams one hundred years ago. Earlier, by one year, Jefferson took the most advanced position in respect to public instruction by framing an educational code for Virginia, providing for free education of all grades, from the primary school to the college, thus anticipating by a century Huxley's ideal system, which he describes as "a great educational ladder, with one end in the gutter and the other in the university." Although he did not live to see its adoption, he declared his unflagging devotion to the cause in words worthy of the author of the Declaration:

> "A system of general education which shall reach every description of our citizens, from the richest to the poorest, as it was the earliest, so it shall be the latest of all the concerns in which I shall permit myself to take an interest."

The results attained during this period were scarcely more than beginnings. The foundations of a system were laid, however, in most of the States, and some experiments were made in the way of building upon them. But as yet the organizations were rudimentary, the means of support were sadly deficient, and, indeed, most of the elements of efficiency and success were wanting. Private schools and academies were multiplied, while the public schools were comparatively neglected.

The modern epoch of the system, the epoch of development, of organization, of efficiency, began, rather more than forty years ago, with the inauguration of State supervision, which has been the fruitful source of most of the manifold improvements which have since been introduced. During this last period, and especially within the last twenty-five years, the growth and progress of the system in the States north of the Potomac and Ohio have been scarcely less than marvelous. To be convinced of this, one has only to examine the official reports showing the increase of schools, of teachers, and of expenditures for educational purposes, of normal schools, of teachers' institutes, and of other organizations for raising the qualifications of teachers; describing the improvements in supervision, in school-houses, in text-books, in courses of study, in apparatus, and all the appliances of instruction, in the methods of teaching and discipline, in classification, grading, and attendance; and exhibiting, finally, the multiplication and enlargement of free schools for instruction in the higher branches of knowledge.

Notwithstanding this undeniable progress, so familiar to every school-man, and of which the evidence is abundant and conclusive, attempts are made by its opponents to discredit it and bring it into disfavor with the people. This is no new phenomenon. In every stage of its onward march it has been subjected to adverse criticism, in which ignorance of the topics discussed, unreasoning caprice, self-conceit, and sectarian bigotry have been in turn conspicuous. The most opposite and contradictory faults have been laid to the charge of the schools. Now they are complained of for teaching too much, and educating the pupils out of their proper sphere; then they are pronounced unworthy of confidence, because they fail to teach even the rudiments of education. They are accused of being godless and sectarian at the same time. While one critic is depicting the evils resulting from overworking the pupils, another is dilating on the waste of time in holidays and vacations. But of all the descriptions of fault-finding in which the opponents of public schools indulge, perhaps the most unjust and nonsensical is that which, ignoring altogether the incalculable good they have accomplished, blames them for not yet having succeeded in curing every political and social disease.

No intelligent friend of the public schools pretends that they have yet done all the good of which they are capable, or denies that very many of them urgently need improvement. But it is claimed that the system is sound in its fundamental principles, that its results fully justify the general confidence in its transcendent utility, and more than justify its cost, that it is simply indispensable to the general welfare, and that the only thing to be done with it is to go on improving it indefinitely. But it is obvious that, in a free country like ours, the cause of popular education can be advanced only as the result of a corresponding advancement of public opinion on the subject. This advancement is promoted by all the agencies and means which tend to convey to the people at large a better understanding of the true theory and proper scope of the public-school system, and a fuller knowledge of its capabilities, as well as of the actual benefits derived from it. One of the most effectual of these means is judicious, honest, intelligent, disinterested criticism—a criticism which aims to make things appear as in themselves they really are. Such criticism is to be welcomed as an essential means of progress. But there is another description which has

a tendency to produce the opposite effect. Its influence is obstructive and reactionary. Instead of showing things as they really are, misrepresentation is its characteristic.

A type of this kind of criticism is found in an article published in a recent number of this REVIEW, entitled "The Public-School Failure," by Richard Grant White. My purpose in the present paper is to submit, to substantially the same readers, an examination of the facts and arguments by which it is attempted to prove the failure of the public-school system, and to indicate briefly some of the evidences of its success.

This article is selected for analysis because it is the latest attack on the system, over a responsible name, which has fallen under my notice, and from the further consideration that, being the production of a writer of fair standing in the literary world, who has given proof of industry in literary work, it may reasonably be supposed to present the case against the schools in the strongest form of which it is capable. This writer does not pretend that he is pointing out the defects and short-comings of the system with a view to remedying them. In his view the theory of the system is false, its results a failure, and its destruction is to be desired as a public blessing. He does not seem to think knowledge of much account for the generality of mankind. He would even have us believe that the more illiterate communities are in a considerably better condition, in certain respects, than those which have longest enjoyed the advantages of the best public schools. His ideal of public instruction is something very different from the American public school, which is designed to be good enough for the best, and free to all. He is for reviving the old anti-democratic plan, which has generally been so satisfactory to the aristocratic feeling, of providing at the public expense only for instruction in the three R's, and that only for children whose parents are too poor to pay for their schooling.

His indictment of the existing system is comprised in two counts, the first charging failure in results, and the second unsoundness in theory.

I group together here some of his assertions as to failure in results: "There is not one of them [the institutions which are regarded as characteristic of the United States] so unworthy of either confidence or pride [as the public-school system]; not one which has failed so completely to accomplish the end for which it

was established. And the case is worse than that of failure; for the result has been deplorable, and threatens to be disastrous. . . . Most of them [the pupils educated in the public schools] are in almost as helpless and barren a condition of mind as if they had never crossed the threshold of a school-house. . . . As a mere imparter of knowledge, the public-school system has failed utterly. . . . Nor need we look very far for information which is both corroborative and explanatory of this lamentable and almost ridiculous failure of public-school education."

These are certainly very bold assertions, and the case against the system would indeed be exceedingly strong if the writer's unsupported assertions about its short-comings, repeated in various forms, could be made to answer the purpose of conclusive arguments. But he is not an educational authority; it is not known that he ever had any official connection with public education, or that he has enjoyed any special advantages for observing its workings and results. Assertions of his views and opinions in regard to the matter cannot, therefore, be accepted as arguments or as evidence of any considerable weight. We are told that the testimony to the deplorable condition of the pupils of the public schools is very abundant,—too abundant "to be repeated," as though such a boast were not a waste of words. One specimen is, however, produced, or, to quote the writer's precise words: "But one example may be given which fairly represents the whole."

Let us see, then, what this testimony is which is put forth as the strongest to be found to prove that our great system of public instruction has been not only a failure, but worse than a failure. We find it to be embodied in a paragraph extracted from an editorial in a Western newspaper, purporting to be a statement of the results contained in the report of an examination of the public schools of Norfolk County, in Massachusetts. Now the fact is, that this editorial is as complete a misrepresentation of the import and meaning of that report as could well be crowded into the same number of lines by an ingenious but conscienceless journalist. It is a libel, pure and simple, made up of an exaggerated statement of some of the poorest results contained in the report, with some added touches of false coloring. "It is a profane burlesque, an abominable perversion of the truth."

That report comprises twenty pages of statistical tables, giving

the percentages of the correct answers, under no less than twenty subject-headings; the averages in each town are given, and the average for the whole county. Not one of these figures is quoted or referred to in the editorial caricature. If it had been intended as a fair representation, would it not have at least mentioned the total average of the county? But this would have afforded proof enough that the schools of Norfolk County were anything but a failure; it would have revealed the fact that this report, instead of being evidence of the failure of the system, is in reality a substantial proof of its success. I am warranted in this assertion by the curious fact that, while the adversaries of the public schools are quoting a gross misrepresentation of this report to prove the general worthlessness of the public-school system, the chief educational officer of the State in which Norfolk County is situated, who is a high authority in educational matters, is holding up this very document to public view as positive and incontrovertible evidence that the State system of schools is producing satisfactory results, "in so far as learning is concerned." On a recent occasion he read a paper showing what the schools have done for the State, from which I quote:

"The results of the examination were expressed in tables, so that the reader, if he happened to be supplied with an index, may know not only the absolute standing or rank of the different schools of the county, but their relative rank also. In addition to the tables, lithograph copies of some of the poorest, best, and medium quality of the papers were published, by means of which the reader may know the value of the work done by a few of the individual authors of the three classes of papers mentioned.

"What judgment should be passed upon these schools as they have exhibited themselves to us through the medium of this thorough, fair, and honest examination? It appears from the tables that the average of perfect work done in all the exercises given to be performed is *fifty-seven* per cent., an amount of perfection *seven per cent. higher than is required for a diploma from some of our best colleges* [Harvard included]. The examination . . . shows an average of excellence that, if carefully analyzed, ought to encourage the most zealous and nervous friend of our Massachusetts system of public schools. From the lithographs we learn that some of the work done by the pupils was poor indeed; that some was well done; that some was marked by a high degree of excellence, and that the average of all was creditable to the schools. If a similar examination of any class of schools or of persons, including even those who claim to be competent critics, should be made, it is doubtful whether a more satisfactory result would be obtained. . . . It should not be forgotten, or concealed from public inspection, that, through an elaborate and impartial examination of the school population of an entire county, there was obtained fifty-seven per cent. of perfect answers to questions

prepared by a carefully selected committee, who could have no motive for deception or for resorting to tricks to obtain high ranks. The examination has confirmed some opinions that were pretty well confirmed before. It has confirmed the opinion that was generally entertained by those best able to form opinions, that the schools, with all their imperfections, are, on the whole, doing creditable work."

Such is the nature and the value of the "one example" of adverse evidence, which we are told "fairly represents the whole."

But our opponent did not rest his case on this one example; he presents two or three more. The first is a quotation from a paper by Mr. Charles Francis Adams, Jr., saying of an examination in 1873 of the schools of Quincy, a town in Norfolk County: "The result was deplorable. The schools went to pieces," etc. In the annual report of the school committee of that town for the year 1873–74, signed by Mr. Adams as one of the members, is found the following statement: "The committee, in entering upon the programme of the closing duty of their school year, are glad to be able to congratulate the people of Quincy upon the satisfactory general character of the results which they have to report." And thereupon the tax-payers of the town, in town meeting assembled, proceed to vote a tax of $25,000 for carrying on their schools during the ensuing year, thus increasing the tax of the preceding year by about $2500. Besides, it appears by the Norfolk report above referred to, that in 1878 the per cent. of perfect work obtained by the schools of Quincy was *seventy-seven* per cent., twenty per cent. higher than the average for the whole county.

Then follows, as another piece of evidence, a repetition of the disproved, utterly exploded charge against the public schools, drawn from an alleged deterioration in thoroughness of the preparation of the candidates for the cadetship at West Point, from 1850 to 1875. This false charge being mentioned by our critic as notoriously true and damaging testimony, he leaves the matter with this flourish of his facile pen, which is almost ridiculous in view of the facts of the case: "It is needless to waste words in setting forth a fact equally sad, disgraceful, and undeniable." In 1877 Mr. A. J. Rickoff, the able superintendent of public schools of Cleveland, read a paper before the North-eastern Ohio Teachers' Association, entitled "Past and Present of our Common-School System," showing conclusively that the records of the examination of candidates for the Military Academy at

West Point furnish no evidence whatever of the inefficiency of the public schools, much less of their deterioration in efficiency. It is three years since this elaborate paper was published in a pamphlet and widely circulated. Its showing stands unrefuted. It is reasonable to suppose that this publication is not known to the writer of the article under consideration; for, had it fallen under his eyes, it must have occurred to him that it would be more to the purpose to attempt a refutation of Mr. Rickoff than to repeat the charge he had so effectually proved to be without foundation in fact.

There remains to be noticed but one more item of evidence in support of the first count, which is introduced as "information corroborative and explanatory of this lamentable and almost ridiculous failure of public-school education." And what is the "information" which is so important as proof? Surely it can be nothing less than some startling statistics, drawn from the new census returns, revealing a fearful increase of illiteracy in the strongholds of the public-school system,—in Boston, perhaps. Far from it. It is a quotation of half a dozen lines from an old report (1862) of the public schools of the State of New York, to the effect that "many of the teachers of the State" were not well up in some of the elementary branches; that although they had acquaintance with the higher mathematics and classics, they failed in arithmetic and geography! Of course such utter futility requires no refutation. But it furnishes occasion for introducing here a passage from the superintendent's report for 1880, of the schools of the Empire State, with its population of five millions:

> "The schools in the main are fulfilling well the mission for which they were established and are maintained: the preparation of the children of to-day to become good citizens of the future. . . . One great object of our public-school system is so to educate the youth that they shall be able and competent to fill the places now occupied by their fathers, and there is every reason to believe that this object is being attained."

And the teachers, especially in the cities and villages, are reported as "almost uniformly well qualified and fairly competent."

I have thus passed in review the sum total of the authorities, the facts and the arguments adduced in proof of the amazingly wild assertion that our great free public-school system, for the support of which the people are yearly, by their own free-will, devoting

so many millions of money, "is an utter failure as a mere imparter of knowledge." Such is the product of the laboring mountain.

By way of digression, our critic launched an invective against the public schools of the city of New York, in which a new charge is brought against the "local politicians" of that city, who worshiped their own "likeness in the Hon. William Tweed," namely: that "they fostered the higher education, . . . until now there is a college of the city of New York as a part of its common-school system, and a normal school at which fifteen hundred young women are instructed." If all this is true, the citizens of New York owe a heavy debt of gratitude to those "local politicians." The public-school system of the city of New York is its crowning glory, and the city college, with its high-school department, and the girls' normal college, are the crowning glory of that noble system. Even the most unfriendly foreign critic of our public-school system within my knowledge, an English advocate of the church system, makes the admission that "the common schools of Boston, and to a large extent, also, of New York, are among the best schools in the world." If the fact that the great metropolis of America has two public schools for higher education is the occasion of such bitter complaint on the part of the adversaries of popular education, what would they say if she were tc establish as many magnificent public high schools as are found in the city of Vienna, or if she were to set up only half as many as there are in Paris? I venture the suggestion that the chief deficiency of the New York system is the want of at least half a dozen more well-equipped high schools, of three or four different kinds.

Of the argument in justification of the second count in the indictment,—that the theory of the public school is false,—but few words need be said. It is so glaringly fallacious as scarcely to admit of serious treatment. Its fallacies are so obvious that a public-school boy could not fail to detect them. The most authoritative statement of the theory of education in the United States, which was drawn up by Dr. W. T. Harris, of St. Louis, and signed in approval by some fourscore of the leading educators of the country, is contained in a pamphlet issued several years ago by the National Bureau of Education. This statement is not even referred to by our critic, much less proved to be false. He takes a brief paragraph from a New York report, which is well

enough in its connection, but is anything but the theory of the public-school system. This he assumes to be the theory of the system, and then proceeds to conclude it to be false, because "mere knowledge does not raise the quality of men's moral natures"—as if knowledge were not a good thing, and as if the public school were not universally held to impart moral no less than intellectual training; and because "ignorance has no relation with vice"—as if this proposition were not contrary to the testimony of the experience of the civilized world, and as if the evidence upon the intimate relation of ignorance with crime as cause and effect were not clear, complete, and ample; and finally, because "crime and vice have increased year after year almost *pari passu* with the development of the public-school system"—as if it had not been established, by reliable statistics, that one-third of all criminals are totally uneducated, and four-fifths practically uneducated, and that the proportion of criminals from the illiterate classes is at least tenfold as great as the proportion from those having some education."* The logic, then, of the argument seems to be in its essence simply this: Ignorance has no relation with crime; the public school has signally failed to have any effect in lessening ignorance, and therefore the public school has caused an increase of crime.

This medley of fallacies is supplemented by a statistical exhibit which, we are assured in high-sounding phrase, "proves the case against the public-school system, as clearly and as undeniably as the truth of Newton's theory of gravitation is proved." What, then, is this crushing, irrefragable evidence? It must be the results of some profound investigation of which the students of social science are generally ignorant. Not at all. It is a stale, second-hand statement, based on the census returns of 1860, showing, as it is claimed, that in New England, crime, pauperism, and insanity were more prevalent than in the oldest of the Southern States, where the proportion of illiteracy was much greater. Now the fact is, that this comparison between States is utterly worthless, and proves nothing, as has been made perfectly clear in a paper by an eminent statistician, Colonel Carroll D. Wright, chief of the Bureau of Statistics of Massachusetts, which was published two years ago with the report of the State Board of Education. Until this paper is shown to be unsound, no more need be said on this point.

* Report of the Commissioner of Education, 1872, page 594.

I have thought it worth while thus to examine this article somewhat in detail, not because of its intrinsic importance, nor from any apprehension that it might influence the opinions of well-informed readers, but because it is a tolerably fair specimen of the current newspaper critiques on the public-school system.

But small space is left for mentioning some of the indications of the remarkable progress and success of the system. Nor is it necessary. The very futility and manifest weakness of the arguments put forth against it by its ablest and most vigorous opponents, afford the strongest presumptive proof of its soundness in principle and its success in results.

What do the most competent foreign authorities say of it, beginning with De Tocqueville and ending with M. Buisson? Fifty years ago De Tocqueville said: "I think there is no country in the world where, in proportion to the population, there are found so few illiterates. . . . The United States is at once the most enlightened and the freest country of our day." Dr. Siljeström, an eminent Swedish authority, in an elaborate work on our public instruction, says: "In the United States, as elsewhere, the observer will detect many of the imperfections that characterize all human institutions; but there is one subject in that country which must afford unmixed pleasure to the heart of the philanthropist and the mind of the thinker, and this is the noble and successful efforts made in the cause of popular education." Bishop Fraser, in his masterly report to the British Parliament on our common-school system, says: "It is contributing powerfully to the development of a nation of which it is no flattery or exaggeration to say that it is, if not the most *highly* educated, yet certainly the most *generally* educated and intelligent people on the earth." Francis Adams, of England, in his able and discriminating book on the free-school system of the United States, says: "There is sufficient evidence that these schools supply the children generally that invaluable and indispensable primary instruction which gives the start and places the tools in the hand of every child, to be used afterward as capacity and opportunity may determine. . . . The results of the common school are apparent to every traveler in the free States. . . . No one ventures to deny that the Americans of the North and North-west are an educated people." M. Hippeau, a most respectable French *savant*, in his report, in 1869, to the government of Napoleon III. on the American schools, asks: "Where is there another nation

which can boast of possessing schools in which all the youth can study, without payment of fee, not only reading, writing, arithmetic, drawing, geography, and history, as in our primary schools, but all that which constitutes secondary instruction? It should be known that in respect to politeness, elegance, and elevation of sentiments, American society may, without disadvantage, be compared with the most civilized states of Europe." M. Emile Laveleye, an eminent Belgian publicist and educator, says, in his comprehensive work on "The Instruction of the People": "The school has been the salvation of the democratic institutions of America. It is certain that elementary instruction has produced in America results without a parallel. . . . The reason why the United States have been able to support fiscal charges, resulting from the war, which would have crushed the richest European nations, is that the people have expended for public instruction five or six times as much as the Europeans. Let it not be forgotten that it is not by the muscles of the arms, but by disciplined minds, that wealth is created." In the remarkable report of the French Educational Commission to the Philadelphia Exposition, M. Buisson, the president, who is one of the foremost educators in the world, says of our system: "The public school is essentially a national school; it is dear to the people, respected by all, established, supported, and enriched by a unanimous spirit of patriotism, which has not varied for a century; it is considered the source of public prosperity, the chief safeguard and protection of democratic institutions and of republican manners. . . . The great zeal for the education of the young grows as the population increases, penetrates into the public mind more and more, and manifests itself in more and more decided ways. What may have seemed at first a transient glow of enthusiasm, a generous impulse, has in time assumed all the force of a logical conviction, or rather of a positive certainty. It is no longer a movement of a few philanthropists, or of a few religious societies, but is an essential part of the public administration, for which the States, the cities, and townships appropriate every year more money than any other country in the world has hitherto devoted to the education of the people. Far from limiting this generosity as much as possible to primary instruction, it goes so far as to declare free for all, not only primary, but even secondary, schools. The large number of illiterates consist of foreign immigrants and of uneducated negroes in the South."

In view of such testimony, are we not justified in saying that either our school system has been reasonably successful in its results, or else a conspiracy on a grand scale has been entered into, by observers of the first order from different nations, to deceive the world as to the measure of intelligence and information in the United States?

The citation of a single American authority must suffice. No one will pretend that any living man is more competent to form a correct opinion on this subject than was the late Dr. Barnas Sears. The last words he ever penned were these—the conclusion of his address on the progress of education in the United States during the last fifty years:

"Imperfect as our survey has been, its effect cannot be otherwise than inspiring. The friends of humanity who have expended so much thought on the improvement of society observe with satisfaction that, however it may be in other departments of our social organization, none of their hopes of the efficacy of general education have been disappointed. The experiment has been made on a sufficiently large scale and for a sufficient length of time to test the system. If the old district school of New England, imperfect as it confessedly was, bore good fruits,—which none will deny,—the modern system, with its manifold improvements, has borne them much more abundantly."

But there is one great fact which is more a convincing proof of the success of our school system than any individual opinions, however much they may be entitled to confidence,—the fact that the schools have held and continue to hold so firm a grasp upon the sympathy and intelligence of the people, of which the evidence is seen in their self-imposed taxes for school purposes. In the State, the cities, the towns, and the rural districts, the people of this country annually vote to take from their own pockets the sum of eighty millions of dollars and pay it over for the support of the public schools in which their children are educated. There can be no longer any question about the people's judgment of the utility of the free public school. Fortunately its development has been most rapid and complete in our cities. It has saved them from barbarism. In the two hundred and eighteen cities specially reported by the Commissioner of Education, a million and a half of pupils are enrolled in the public schools, while only three hundred thousand are enrolled in the private and sectarian schools. It is the great instrumentality for Americanizing the immense masses of our foreign population. Look at Boston; twenty-five years ago considerably more than half the population

consisted of foreigners to a large extent illiterate. So that now a large percentage of the present native-born population consists of the children of illiterate foreigners; yet of the native-born population of to-day the illiterates are only seven in a thousand. The public-school teacher and the truant officer have done the work. But this is not all: while the public school was grappling with this Herculean task, it was keeping up to the standard suited to the requirements of the children of the well-to-do native citizens, and even of the greater part of the wealthy class. Some years ago a high English educational official, while visiting with me some public schools, asked if the professional classes sent their children to the public school. I answered: "In one I shall take you to see, you will find a son of the chief-justice of the commonwealth; in another a son of the governor, and in another a son of the mayor of the city." The son of the Beacon-street merchant is competing for honors in the same class with the son of the Irishman who saws his wood. It has even happened that girls from the highest rank in the social scale have been found in the public high school. While the population increased six hundred per cent., the number of pupils in private schools actually decreased. This is only one example out of the hundreds of the success—triumph, may it not be said—of the American free, unsectarian public-school system.

JOHN D. PHILBRICK.

DESPOTISM IN LUNATIC ASYLUMS.

Of all the afflictions which appeal to human justice and sympathy, none is so anomalous, none so little understood, none so threatening, as insanity. Experts dispute about its definition. Mystery hangs over its cause. Grave doubts obstruct its cure. The common people are perplexed whether to regard it as a mysterious disgrace, a natural disease, or an avenging dispensation of Providence. Judges and juries, in dealing with it, are lost in mazes of metaphysics and in masses of conflicting opinions. Thrust into forbidding poor-houses, or masked and guarded in great asylums, no wonder it has been so little comprehended or cared for by the average good citizen. But now, as never before in this country, it is arresting the thoughts of statesmen and moving the hearts of philanthropists. And none too soon. For while science and benevolence, by setting limits to disease and affliction, have extended the duration of human life; while ignorance and crime have diminished, and education has become more extended and profound, insanity, and insanity alone among our great afflictions, has become both more frequent and more fatal in this country.

Two States are fairly representative. The commissioners' report of the insane in Massachusetts, for 1879, declares that "every year presents marked evidence of the increase of insanity." There are about 5000 insane in the State. The chronic or incurable cases are now more than three-fourths of the whole, and are steadily increasing. The cost of caring for the lunatics of the State (exclusive, we think, of investment in asylums and lands) is now almost a million of dollars a year; and, like the number of the insane, advances in a ratio greater than either population or wealth. In New York, the insane—estimated at 5032 in 1871, at 7921 in 1877, at 9015 in 1879—had, in 1880, reached 9543, in

its various institutions. Making ample allowance for the more complete collection of the lunatics into asylums and poor-houses, we, here also, have a ratio of increase far in excess of that of population. "The rapid increase of insanity is truly alarming," says the last message of Governor Cornell. The one disease that is worse than all others—which takes from man what most distinguishes him from the brutes—defies our remedies, and threatens our national progress.

Palatial asylums, constructed and furnished at an expense unparalleled in the world, and consigned to the almost absolute control of asylum doctors and trustees, have utterly failed to check the disease. Erected in the hope of supplying the needs of a generation, they barely hold the additions to the insane made during the very years of their construction. Year by year, since their completion, insanity has more frequently blighted our children, more broadly stricken middle life, more irresistibly tended to become chronic, more rapidly and certainly carried its victims to the grave. Well-informed alienists even declare that from five-sixths to nine-tenths of all lunatics now in American asylums are incurable. There seems to be no other country in which the facts appear so alarming.

In whatever degree the cause of insanity may be due to our overexertion for wealth and social distinction, to our vicious indulgences, to our overstimulating climate, or to our vicious system of lunacy administration, the need of better methods of prevention and treatment are much the same. The facts in every direction are perplexing enough. The most frequent cases of insanity appear to be between the ages of thirty and fifty, and the greatest ratio of victims, except on the part of the grossly licentious and intemperate, to be among our humble laborers and the unaspiring inmates of our farm-houses; while the class whose mental work is severest supply comparatively few victims. But most serious of all are the facts that near half the cases of insanity may be traced to hereditary causes, and that, in its ever-widening range, it is poisoning the vital currents which are to flow and blight in the next generations. Humanity, statesmanship, self-preservation, therefore, require that the grave question of insanity be brought forth from the filth and politics of the poor-houses, and from the secrecy, the mystery, and the professional metaphysics of the asylums and the doctors, and set up in the forum of public debate and criticism. It is none too soon

that, this year, a national association for "the protection of the insane and the prevention of insanity" has been formed; that, at this moment, a committee of the State Senate of New York is taking voluminous testimony upon the subject, and that the mysterious abuses within the walls of our asylums and the lunatic wards of poor-houses are more and more receiving the attention of the public press.

Our subject, however, is not the causes or the perils of insanity, but the care of the insane. Want of space allows but a limited view. A very important part—the professional or medical aspects of the subject—must be excluded; and so must those rich lessons of experience which may be drawn from the history of asylum treatment, which shows a steady progress from blows, dungeons, and chains, in the time of Pinel, and from straight-waistcoats, muffs, leg-locks, and general brutality, in the time of Connolly, down to our day, when the degree of freedom from physical restraint is at once the test and the measure of good asylum management. For the same reason, no adequate discrimination can be made between the merits of particular institutions, or the systems of different States. The corruption, the brutality, the neglect, the demoralizing partisan politics, so often tolerated in our town and country poor-houses; the extravagant outlay for asylum buildings; the cruel and needless suppression of the letters of inmates to their friends and relatives; the need of isolating the chronic insane; the value of employment and amusements as curative agencies, especially as illustrated at the Vermont Asylum at Brattleboro'; the great success which has attended the discontinuance of needless restraint and punishment in some asylums in later years, and notably in the asylum at Flatbush, Long Island, under the charge of Dr. Shaw; the striking reforms which have followed public criticism and the more searching visitations by State boards of charity within the last decade;—these important matters can receive hardly more than this passing notice.

The few brief facts we can present may give some idea of what has been possible under our lunacy system, and what reforms an aroused public opinion, led by a few superintendents and philanthropists having the courage to break through that system, may be able to accomplish. The late investigation of the New York asylum for insane convicts disclosed facts that would disgrace Turkey: filth, vermin, contagious disease, food

hardly less fatal than starvation itself; two pistol-balls in the body of one inmate, fired by his superintendent; a lunatic shackled and handcuffed night and day for two months; but no records of medicine, of treatment, of punishment, or of diet! At the same time, when similar horrors were being perpetrated in city and country poor-houses, three asylum palaces were rising in the State, under plans furnished by asylum doctors and asylum trustees, that would make them cost about $5,000,000, or at the incredible rate of $4000 to each patient. Only last week the present superintendent of the Ward's Island Asylum gave this testimony before the committee just referred to:

"When I came on the island, I was more afraid of the keepers than the lunatics. The keepers were mostly shoulder-hitters, and they made a regular slaughter-house of the place."

The writer has just visited the Flatbush Asylum, and seen its seven hundred inmates, without apparent bruise or any restraint upon the body or limbs of one of them. Yet, it is only about a year since Superintendent Shaw, rebelling against our asylum system and its leaders, made a great bonfire of more than three hundred camisades, straps, straight-jackets, and other implements of restraint, which the former attendants had used much as they pleased. The doctor has also within that time closed more than two hundred holes, in as many bedroom-prison doors, behind which many inmates had been confined, inspected, and fed, like dangerous beasts. These room doors are now as freely open as they are in most European asylums. A leading officer in lunacy, in Massachusetts, declares "that of the $1,500,000 required for the accommodation of four hundred and fifty patients (at Danvers), *nearly one-third was spent upon the officers' buildings;* . . . while the poor insane are not accommodated at all. . . . Within sight, almost, of the Danvers palace, in a town almshouse, I have seen an insane woman, naked and helpless, sitting in a wooden box filled with straw." Ohio and other States, if we had space, could add new counts to this humiliating indictment.

The evils referred to, except those growing directly out of the partisan spoils system of our politics, are, in the main, but legitimate consequences of our American system of asylum management. That system not only shuts out from asylum life the healthy breezes from the great ocean of public thought and sentiment, but it is in itself a prolific source of mischief. We propose

to compare it with the better system which prevails in the leading states of Europe.

Some decisive facts are beyond dispute, and we need to have a clear view of them in the outset.

1. Insanity is cosmopolitan in character and in the conditions of its successful treatment. If the success attained in any one enlightened country is not soon reached in every other, there must be some discreditable cause.

2. By the united testimony of the foremost alienists of Europe, who have visited this country, and of agents sent to study the European system by the leading States of the Union, and of the most candid American thinkers on insanity, the lunacy administration of the principal European states is decidedly more economical, more humane, and more effective for good than our own. In freedom from physical restraint, in efficiency of inspection, in publicity of management, and in regard for public opinion, their asylums, as a rule, are far in advance of those of the United States.

3. It is beyond dispute that no people are more intelligent and that none have exhibited more generosity and humanity in dealing with the insane than the people of this country.

4. It may be claimed, we think, that in no country has the medical profession more capacity for dealing with nervous diseases and all sorts of morbid conditions, including insanity itself, than in the United States.

Consistently with such facts, only these reasons can explain our second-rate lunacy administration:

First, That the public sentiment and intelligence have not been stirred on the subject, and that the skill of the medical profession has not been brought to bear upon the treatment of the insane. *Second*, That we have a vicious and defective system for the care of lunatics, which excludes light and wisdom from without and breeds and screens abuses within the circle of administration. We think it clear that both these causes exist. They are in a measure dependent upon each other. A deceptive and vicious system, adroitly and ably administered, has lulled and misled public opinion; screening abuses by secrecy, shutting out light by arbitrary methods, defying exposure and change by the exercise of a despotic authority which ought never to have been conferred upon the managers of asylums. It has followed, as a natural consequence of this system, rather than as

an independent cause of inferior administration, that public opinion has been suspicious but not aggressive; alarmed but not aroused to action; anxious for information, but unable to get it; ready to do a work of reform, but finding the way everywhere barricaded by those in authority under that system. Great as is the need for carrying forward the free and bold discussion of every part of the subject—now fairly opened—in public meetings, in the daily press, in reviews, and works of fiction,—as was the case in Great Britain a generation ago,—there is yet especial need that the tyrannical system, itself, should be arraigned at the bar of public opinion and clearly comprehended by the popular mind.

Let us go to the very center of the matter and compare the American system of lunacy administration with that system which in Europe has given results so superior. Only the most decisive features can be contrasted. The English system must stand for that of Europe and the New York system for that of the United States. The Revised Statutes of 1874, for governing the lunatic asylum at Utica, New York, is expressly made the model for all others in the State, and it most clearly shows the American system. There is no space for noting the difference between the poor-house and the asylum theories and methods for treating the insane. They are equally secret, arbitrary, and irresponsible, but not equally cruel or corrupt.

It is the asylums—the asylum doctors and the asylum trustees and their system—which have become a great power, alike in politics and in medicine, in the lobby of legislatures, and in the purlieus of executive chambers.

We may say that the English and American systems were substantially the same up to about 1845. The widely different conditions in the two, at this moment, have grown out of widely differing systems since that date. Let us now see what the American system is by showing the theory and method for governing the asylum at Utica.

Nine trustees, a majority of whom must reside within five miles of the asylum, are to govern it. They make such by-laws and regulations as they deem expedient. They appoint the treasurer and the superintendent. They, by approval, determine the number of employés and their salaries. They keep the only records of their own doings. They inspect their own work. They (or their subordinate, the superintendent) make all purchases. They audit their own bills. They report to the legislature the

only authorized version of their own conduct. Neither their report nor that of their subordinate, the treasurer, is required to contain such particulars as would disclose extravagance or any other abuses. As private owners of the institution, they could not have power more absolute and irresponsible. The most ordinary and essential checks upon extravagance, favoritism, and neglect are utterly wanting.

But the authority of the asylum superintendent is, if possible, more dangerous and unchecked than that of the trustees. He is an autocrat,—absolutely unique in this republic,—supreme and irresistible alike in the domain of medicine, in the domain of business, and in the domain of discipline and punishment. He is the monarch of all he surveys, from the great palace to the hen-coops, from pills to muffs and handcuffs, from music in the parlors to confinement in the prison rooms; from the hour he receives his prisoner to the hour when his advice restores him to liberty. Here is the almost incredible power given by statute to an asylum superintendent. He assigns all officers and employés to duty. He prescribes all diet and treatment. He appoints (subject to the managers' approval) as many assistants and attendants as he thinks proper. He prescribes their duties and places. He (subject to the managers' approval) fixes their compensation. He discharges any of them "at his sole discretion." He suspends any resident officers. He can give "*all orders he may judge best* . . . in every department of labor and expense." He is authorized to "maintain discipline," and "to enforce obedience" to all his own orders. He keeps the only required accounts, and the only record of his doings, "and of the entire business operations of the institution." He approves the bills he has contracted. He makes the only report of his own administration. He too is the person who gives the permit upon which his prisoners may be restored to liberty.

This unparalleled despotism—extending to all conduct, to all hours, to all food, to all medicine, to all conditions of happiness, to all connection with the outer world, to all possibilities of regaining liberty—awaits those whose commitments may easily be unjust if not fraudulent, whose life is shrouded in a secrecy and seclusion unknown beyond the walls of an insane asylum—is over prisoners the most pitiable of human beings, whose protests and prayers for relief their keepers declare, and many good people believe, no man is bound to respect! When Frederick the Great

defined his despotism as one under which he did what he was a mind to, and his subjects said what they were a mind to, his subjects were able to speak for themselves, and could make their complaints ring through the kingdom. It would be almost incredible that such authority should be conferred upon any officer in this country, had not the public for a long time supinely accepted their theories about insanity from asylum superintendents, by whom this statute was so naturally dictated in their own interests. It assumes superintendents to be saints, with whom passion, selfishness, revenge, and neglect are impossible.

It is true that the local trustees, by whom the superintendent is selected and who makes his place more secure by putting their relatives and political henchmen where they get good salaries, have a liberty and duty of inspection. But do we need to read the reciprocal compliments between the superintendents and the trustees, so prominent in their reports, to comprehend that the relations between them—involving all the secrets, the favoritism, the partisan interests, the contracts, sinecures, and profits of asylum management—are fatal to all independent or thorough inspection?

It is a part of the system that the board of trustees shall erect the asylum buildings, keeping all accounts, making all reports, auditing all bills; aided only by the advice of asylum superintendents, one of whom is to occupy stately apartments upon the grand front of the new palace. Is it any wonder that millions have been squandered on asylums and their management? Any wonder that it costs from twice to five times as much to take care of an insane person here as in Europe? Any wonder that, in New York, a board of asylum trustees at this moment stands arraigned by the comptroller of the State before the governor for wanton extravagance and other abuses? Any wonder that an incomplete asylum at Morristown, New Jersey, has cost more than $3000, and another at Buffalo, N. Y., about $4000 for each patient,—sums large enough to have supplied an average farm, in either State, for every person in the lunatic palace, including the wash-women and the stable-boys!

That many boards of trustees, had they experience beyond that of their own asylum, would rise above the temptation of this irresponsible and vicious system, we may well believe. It is creditable to human nature that more corruption and extravagance have not existed with such opportunities. But how can

economy be advanced when the officer who orders all purchases also appoints the purchasing agent, audits the bills, and reports the transaction? How can we expect salaries or the number of employés to be reduced, how can we hope that neglect and cruelty will be prevented, when every officer who can take part in reform has favorites in the asylum, and is pledged to stand by the management and to keep its damaging secrets? We might as well expect the House of Lords to surrender its prerogatives, or members of Congress to abandon their patronage, or city commissioners to reduce the salaries of their subordinates.

Despite so bad a system, however, there have been admirable superintendents and prudent trustees under it, just as under the Jesuit system there have been worthy priests, and, under our partisan spoils system, honest and capable officers; but only because so many men are better than these systems, and long for reforms from which the system holds them back.

We cannot understand the ability and tendency of this asylum system to resist reform from without until we look further to the national confederation of all its isolated despotisms. More than a generation ago "The American Association of Medical Superintendents of Asylums" was formed. Though having noble aims, it was really a combination for mutual support and self-defense by a great number of isolated officials. While producing able essays and doing much good in certain directions, the association has tended to become a power as autocratic and domineering in asylum medicine and asylum politics throughout the Union, as are the authorities of each institution behind their own walls and locks. The members of the association know, and feel compelled to keep, all the secrets of partisan favoritism, jobbing, and extravagance of which asylum trustees are guilty. Its members open and shut asylum gates to young doctors, and educate and recommend those doctors who alone have a chance of rising to the dignity and profit of an asylum superintendency. In the able organ of the association, "The American Journal of Insanity," naturally enough published at the asylum at Utica,—the recognized center of asylum politics in New York,—and edited by its superintendent, those not educated within asylum walls are sneered at as disqualified to speak of asylum affairs. That journal also lately deprecated the report of a superintendent of an asylum in Indiana, who had so fully stated asylum expenses and methods—after

English models—that outsiders could judge of the doings within its walls. In the debates of the association, abuses for which superintendents and trustees are responsible are substantially ignored. Much regret was expressed when the censures of Dr. Bucknill, the great English alienist, upon needless restraint, punishment, and secrecy in our asylums, lately forced a unique debate on that subject at an annual meeting. How could it be otherwise? The superintendents represent, not the inmates, not the people, not helplessness that needs protection, but only those in authority who maintain all secrecy, who are responsible for all that is wrong, who are interested in all that is corrupt, who are themselves the very persons who need to feel the force of public opinion and to have their doings inspected and laid open to view. A Howard or a Francis d'Assisi, as a superintendent, might expose the abuses of the asylum that employed him, or arraign a fellow-member for oppression, but, as average human nature is, it was inevitable that an association thus organized should crystalize old methods and abuses, and become, in itself, an obstacle to reform.

We have no space to state how far, in Massachusetts, Vermont, New York, and other States, lately, provision has been made for inspection and publicity in asylum affairs.

It is a curious fact that the very year (1845) when that association crystalized asylum despotism in the United States, the British Parliament pursued a precisely opposite policy by subjecting the English system to regulation, inspection, and responsibility to public opinion, at the hands of a "National Board of Commissioners in Lunacy." It extended to asylums, both public and private, the same guarantees of fidelity and justice which we long since found essential in the analogous cases of banks, prisons, and assurance companies, and are now extending to public charities.

The board consists of eleven persons, of whom three are physicians, three lawyers, and the residue men of business. Doctors not biased by asylum sympathies are to watch those who are. Lawyers are to look to the legal rights of the inmates. The non-professional majority of the board are to stand for business economy and the humanity of the nation. A board thus constituted can hardly yield to any clique of doctors or theory of medicine. The duty of the board is to cause the light to shine on all asylum management, and to bring the doings of superin-

tendents and trustees alike to the tests of science, economy, humanity, and justice. Pages might be filled with proofs of the good influence of the board, in the words of both English and foreign writers. Those familiar with the great reforms brought about by our recent boards of charities in almshouses, county jails, and poor-houses, can readily imagine how English asylums have been regenerated—no more despotism, no more secrecy, no more extravagance, no more lobbying, no more asylum politics.

Every house, hospital, asylum, or place where lunatics are kept is subject to the approval and the visitations of the board. The detailed rules for the government of each, and lists of the diet required to be supplied, must be hung in conspicuous places upon its walls and filed with the board. Not an inmate can be received or discharged anywhere in the kingdom without a prompt report to that body of the authority and the reasons; nor the death of a lunatic happen without an instant statement of the cause and the name of the physician in charge being sent to the board. Six times a year in most sections, and four times elsewhere, an inspection must be made by the board of every asylum, public and private. The inspections must be not only of the main buildings but of "every out-house and place," and the inspectors on each occasion "*must see every patient.*" They must make minutes of the situation "in general and particular," not only in the visitors' book of the institution, but in their own report. It is a misdemeanor on the part of superintendent or trustees to fail to show the inspectors, and of the inspectors to omit to see, *any place or person* which it is thus their duty to see! Every medical adviser who resides in or visits an asylum must enter in a case-book the bodily and mental condition of such patient, and what medicine and treatment and at what time he prescribes for him. These books are always inspected, are open to visitors, and frequently copies of them are required by the board. Every letter of an inmate addressed to the board, or to a member of it, must be at once forwarded to its address, unopened; and every other letter, if not forwarded to its address, must be speedily delivered to the inspectors for the board. Every person guilty of neglect or ill treatment of a patient is to be punished as for a misdemeanor. The humanity and justice of such provisions must commend them to the American heart.

It is obvious that inspections of all vouchers and accounts by an independent body must tend to economy on the part of

trustees and superintendents, to say nothing of having the expenses of each institution put in comparison with those of others in the annual reports of the board.

Asylums are neither built nor altered in England to suit the fancy of local trustees or superintendents, but upon plans to be approved by central authority, and with stern limitations upon extravagances. The prescriptions of treatment, the diet lists, the suicides, the punishments, the constraints of liberty, the accidents, the ratio of cures and deaths, the conduct of superintendents as shown in the calmness or excitement of their patients, in the different institutions, and the results of looking into the complaints made by letter, appear in these reports and are scored up against an institution according to its merits. It is plain enough that as checks upon arbitrary power, as incentives to justice and economy, and as sources of public enlightenment, such reports must be salutary in the highest degree. By removing secrecy and mystery from asylum management, the action of the board has greatly raised asylum affairs in public estimation. Suspicion and distrust on the subject no longer exist, as in this country, and English and German alienists and statesmen see, with surprise, the dread with which our asylum authorities look upon publicity and investigation. In those countries, such scenes as we witness would be impossible. For example: a great New York asylum superintendent, paid from the public treasury, leaving his patients last winter locked in charge of subordinates, while he visited Albany to lead the asylum influence against a bill for the better protection of the insane; a minister of the Gospel standing but yesterday before the Senate committee before referred to, and holding in his hand a letter from a superintendent over him, which admonished him in direct words that he had passed the asylum locks *only on the condition of revealing no secrets*, and that he would speak out the facts as to abuses at the peril of his place as a Christian missionary to a public lunatic asylum in the city of New York! Such, in their decisive features, are the widely different systems according to which lunacy affairs have been managed for more than a generation on the opposite sides of the Atlantic. On the one side, the only national organization having been a body made up of superintendents and trustees, interested if not in part formed to preserve them in the exercise of their despotic power against the complaints of its victims and the protests of

the public; on the other side, a body independent of superintendents and trustees alike, and both formed and interested to bring them to the bar of public opinion, and to secure for every lunatic in their care all the comfort and justice which a great nation can supply.

It is not strange that superintendents and trustees oppose such inspection and publicity. But why should they, any more than bank and insurance directors and presidents, be exempt? The wonder is, not that lunacy administration here should be more tyrannical, expensive, and distrusted than in Europe, that physical restraint and punishments should be more frequent and excessive, that suppression of letters and secrecy should be enforced, or that insanity should increase and become incurable in the degree that our asylum management has fallen behind the science and humanity of the age; but the wonder is that a humane and intelligent people should have so long, with the example of Europe before their eyes, tolerated a system repugnant to their constitutions and national spirit. We may be sure that a system so intrenched in the statutes and in professional, partisan, and local interests all over the country, will not be easily overthrown. But difficult as the work may be, the most essential step toward reform is to open all the asylums, public and private alike, to inspection and reports by an independent board (after the British model), either created separately in each State, or made up of members from several States, for a common duty. Then asylum extravagance, asylum despotism, and asylum politics will fall before public opinion; but not before. All reforms short of this must deal mainly with effects, and not with the real causes of our evils.

DORMAN B. EATON.

THE POLITICAL ATTITUDE OF THE MORMONS.

To make the position of the Mormons in Utah clear to the general reader; to deal with the subject without prejudice and yet to state the truth, is a difficult undertaking. Toward the United States the Mormon power observes the forms of republican polity, while in fact it is a despotism as absolute in its control over its own people as ever existed on the earth. That such an institution has been able to plant itself in the heart of the United States, to maintain itself, and to steadily increase in power, is one of the anomalies of the times. It reveals, on the one hand, how slow a perfectly free people are to realize when a serious danger threatens them; on the other, what results cunning and unscrupulous leaders may achieve through appeals to men whose minds are clouded by ignorance and steeped in superstition.

Ask nine out of every ten men in the country what there is objectionable in the Mormon faith and in Mormon practices, and the answer will be that polygamy is preached and practiced. That behind polygamy there is in the Mormon creed a deadly menace to free government, few suspect. And yet this is true. The Mormons have a "celestial kingdom of God," and a "kingdom of God on earth." This latter means the rule of its people in temporal things; and the dream of the Mormon leaders is, that under this rule the governments of the earth will one by one be brought, until the whole world shall be subjugated. They teach explicitly that every government framed by man is illegal; declare that their government was given them direct from heaven; that the president and apostles of their church stand on earth the direct vicegerents of the Almighty; and that, by revelations, dreams, and other jugglery, they are at all times endowed with the wisdom to guide their people aright in all things, temporal as well as spiritual. Their leaders claim to be

infallible, not in the sense of a court of last appeal, but as men inspired, who catch the thoughts and pronounce the words of Deity. And the claim is admitted by their followers. With such a belief impressed upon the plastic hearts of children, it is easy to enforce discipline. Then, in worldly knowledge they are instructed very little, the policy of the church being to keep the masses poor and ignorant. They are forbidden to read books or journals that attack their faith or appeal to their reason; while the quality of their own journals will be understood when we mention that, within the past year, they have prescribed as a certain safeguard against, and remedy for, diphtheria and other diseases which come of blood-poisoning, more earnest prayers, more punctual and faithful obedience to the commands of their elders. Naturally, men so enthralled are mere slaves. Their first and only real allegiance is given to their church and chiefs. As between their creed and the government of the United States, the latter is nothing; when any law of the land conflicts with a church rule, the law is held as naught, and, to defeat the execution of such a law, perjury is held to be, instead of a crime, a virtue. Repeated instances of this have been given in the courts of Utah by Mormons, from Brigham Young and Daniel H. Wells down to the herd which live but to obey the orders of the leaders. Dora Young, a daughter of Brigham, who has broken away from the Mormon church, declares that the first thing to open her eyes to the atrocities practiced, under the name of religion, in Utah, was the wholesale perjury resorted to by her father and by others high in authority in the Mormon church, in order to circumvent the laws and to defeat justice.

To the ignorant masses in Utah thousands from Europe are annually added,—creatures who, in their native lands, were so miserable that, finding here a home with plenty of vegetables, fruit, meat, and fish, they are easily impressed with the belief that all this is a direct interposition of divine grace in their behalf. The result is a people who, in their daily lives, are peaceable, industrious, frugal, and courteous, but who, at the command of their leaders, would, in a day, rise up, lay their cities and towns waste, and with their flocks and herds go in search of a new home, north, south, east, or west, as directed; and whether committing atrocities, or themselves perishing from exposure, would say their prayers and sing their hymns in the very ecstasy of fanaticism.

Of the one hundred and forty-five thousand people in Utah, more than one hundred thousand—probably one hundred and twenty thousand—are Mormons. And the hive has commenced to swarm. To-day they hold the balance of power in Idaho and Arizona, and are swiftly peopling Washington, Montana, Wyoming, and Colorado. The vote of Idaho, for Congressmen, was carried at the late election by a brief order of George Q. Cannon, directing Mormons in that territory to vote for a certain man. Cannon did not leave his office in Salt Lake City; but all the Mormons in Idaho voted as a unit. Allow Mormonism to go on unchecked for ten years longer, and Cannon will, from the same office, dictate the elections in all the region between the Rocky Mountains and the Pacific Ocean, except California and Oregon; that is, he will hold under absolute control, as in Utah, or the balance of power, as in Idaho, a region as great in area as all the United States east of the Mississippi River. It is a region of measureless resources, the seat of a future empire; it is a succession of mountains rich in minerals, and valleys, many of which contain magnificent land. The mountains are principally valuable for their mines. The miner is a thorough nomad; his eyes are forever fixed on the heights which promise mineral croppings, and when one point does not answer his expectations, he seeks another. The Mormon cares nothing for the hills, except for a summer range for his stock, and for the market which he there finds among the miners for his surplus farm products; but he fastens on the arable lands of the valleys with a tenacity which never lets go. In this way every arable acre and almost every spring which commands a stock range in Utah has been appropriated by him; and now this noiseless conquest is extending to other territories. In their advance the Mormons are like the Chinese: they will work for Gentiles for money; sell Gentiles anything they have to sell; buy land from them; but there transactions cease; their purchases they make at their own coöperative stores, and, except to convert labor or supplies into money, they hold themselves aloof from Gentiles. They belong to a kingdom foreign in its ways and foreign in fealty to this country. But for the mines no outsider could find anything whereby he could earn a living in Utah. From this rule, perhaps, the Israelites might be excepted—the old-time polygamists. Were it to suit some political party to give Statehood to Utah, every Gentile

would be forced to move away; the mines would be taxed so that it would be impossible to work them, and nothing else would remain. The Mormons have shown their eagerness to do this already. Their legislature passed a bill laying a tax of twenty per cent. on the gross proceeds of mines, and the veto of the governor was all that prevented the bill becoming a law. Libel laws would make it impossible to publish a liberal newspaper, and other laws would be added until there would be but one of two things for Gentiles to do—either emigrate or fight; and they are but one to seven or eight of the whole people. The Mormons are as one in thought. All Mormons are not polygamists, but as the men of the South were solid in 1861, when the four hundred thousand slaveholders appealed to them, so the Mormons follow, with implicit trust and obedience, their leaders. They stand toward the world as does a hollow square on a battle-field, bristling in every direction, hostile everywhere, presenting a solid front on all sides, and apparently exposing no weak spot, no point where shields are not joined and spears thrust out menacingly.

In Utah the ballot is given to women, and the law is so framed that it permits alien women to vote within a month after reaching Utah, without so much as requiring from them an oath of allegiance to the United States. Of course these are like the men, and do simply what they are instructed by their chiefs to do, understanding no more of what they are doing than a wild native of the Cannibal Islands would of the "Resolutions of Ninety-eight." It was this *oneness*, this utter death of free thought, this slavish obedience to the masters, and this entire prostitution of free and popular government, and not polygamy, which caused the men of Missouri and Illinois to arise in a frenzy of rage and drive the first nucleus of the bogus creed from their midst.

How has this power waxed so strong? To answer the question a brief review is necessary. There is no doubt that the original Mormon creed was evolved from the crafty brain of Sidney Rigdon. Rigdon was born and reared in the region of the Whisky Insurrection in Pennsylvania. The first shot in that early rebellion was fired but a few rods from Rigdon's father's house. The man who was afterward Rigdon's pastor was a leader with Mike Fink and his brother outlaws, and was taken to Philadelphia in irons. Rigdon was expelled from the First Baptist Church in

Pittsburgh, in 1823, for heresy. He was then teaching "Common Stock" (communism), and afterward drifted naturally into Mormonism, for he was steeped with incendiarism before he was born. Greedy of power, with a subtle knowledge of lower human nature, he rightly judged that the best way to attain the object of his ambition was to place a chain of superstition around the necks of men. So he worked out the details of a new church. Among other things which his new religious code contained was the provision for sealing to the dead for eternity, that lost souls might still be saved through the grace of celestial marriage with those yet in the flesh who had been saved through conversion to the Mormon faith. But Rigdon had little magnetism; moreover, he had some education; for him to state in scholarly language what purported to be a revelation from on high would be to defeat his own purpose. He required an assistant, and searched until he found the subject that he required in a hoodlum and tramp who was going around the country with a "peep" stone, telling fortunes. This was Joe Smith.

Smith was born in Rutland, Vermont, about the time that Wingate, the combined forger and religious charlatan, made such a sensation there. He removed, when a youth, to Palmyra, New York, and there Rigdon found him. Smith was full of magnetism, full of warm blood, a hearty, generous fellow,—from the description an original, untutored Jim Fisk. After proper training, Smith became the prophet and Rigdon the inspiration behind him, putting cunning words in the mouth of the boor. At last Smith, finding how pleasant it was to play prophet, and flattered by the devotion paid him, drew away from the cold Rigdon. For one of his sensual nature, it was but natural to conclude that if celestial plural marriages were good, it was a grievous waste of time to wait for death to sanctify them; that real women were greatly to be preferred to doubtful and unsubstantial ghosts, and that the right thing was to be sealed to those still in the flesh. So he had a revelation; polygamy became a part of the Mormon religion, and Joe Smith a little Mohammed. Followers began to flock rapidly around Smith. Probably without being conscious of the fact, he had made *animalism* the key-stone in the arch of his creed, and given to his church all the adhesiveness which cements Christian creeds, and in addition all the fascination which, to sensual natures, clings to Mohammedism. Thenceforth the institution thrived until it became so much of a nuisance, and

took on attributes of such menace to free government, that, in a paroxysm of rage, the mob killed Smith. Though his life had been full of irregularities, in the hearts of his followers his death made him a martyred prophet who had died for his people, and ever since he has been held by them as one to be reverenced next to the Nazarene.

After Smith, Brigham Young was made the leader. Of this man it is strange how little is known by the world. While all are aware that he was a polygamist, and understand dimly that he permitted some violence in his life, the popular idea of him is that to his own people he was a patriarch; that, beyond the shrewdness and courage which are expected of a frontier leader, he possessed the genius of a natural leader; that within him were all the elements of a great soldier or statesman. The truth is, he was one of the very worst and meanest of men, and hardly a redeeming virtue can be pleaded as an offset for his vices and crimes. That, at last, he died peacefully in his bed is almost an impeachment of eternal justice. His own people admit that physically he was an abject coward. Possessing this infirmity, he was naturally cruel and an intolerable tyrant when intrusted with power. Intellectually he was not bright; but he was full of animal magnetism; and, though his heart was that of a sheep, there was a great deal of wolf in his forehead; possessing a stubbornness which never yielded, and a plausible tongue, and backed as he was by such physical and superstitious power, he held the masses of his creed in absolute subjection. They never dreamed of appealing from his commands, much less of disobeying them. His avarice was measureless, and he robbed his people for thirty years—robbed them by wholesale and retail. It is said that he never saw a beautiful woman that he did not seek to possess her, never a profitable business, fine house or horse, that he did not plan to obtain it without giving any fair compensation. Instead of being the shepherd, he perpetually preyed upon the flock. He robbed men of their property, and of their wives, and yet he lived on to old age, for was he not a prophet of the Lord, and were not his "avenging angels" always lying in wait for any who might protest? The praise he has received, for having poor people taken to Utah and furnished with homes, is not merited. A church-fund does that work, and every immigrant is charged with the full amount, and ten per cent. interest, and the debt is a perpetual lien upon his earnings until it is paid. It is the first link forged

in the chain of slavery, which holds men slaves in Utah. Young's theory was that, to be ruled, men must be kept poor and ignorant. He bewailed the fact that there was gold and silver in the hills of Utah; forbade his people looking for or working mines; caused the first prospectors who went to Utah to be driven away or assassinated, and said: "If mines are opened, men will grow rich; with riches they will want fine houses and horses; their women will want fine clothes; and the result will be the destruction of our holy religion." He had a wonderful fondness for women, but the opening of the first millinery and dress-making establishment in Salt Lake City was "terrible" to him, as "an army with banners."

Brigham Young is dead, but no mortal can estimate the dreadful influence which his rule of thirty years had upon his people. They were molded and disciplined until they were made absolute slaves; at the same time they had had set to them, by their prophet, examples of perjury and robbery, of open murder and secret assassination, of all manner of duplicity and fraud, until at last they grew to contemplate the perpetration of any crime in the interest of their church as a mere emotionless act of duty. The women had imbibed the Christian idea that it was glorious to suffer for their church; the men clung eagerly to a faith which honored most the man whose lusts were strongest. Often, in the Tabernacle, Brigham Young preached upon the necessity, sometimes, of murder (blood-atonement) in order to save souls. The morning before and the evening succeeding the Mountain Meadows massacre, the fiends who there cut the throats of defenseless women and helpless little children were punctual and full of fervor at prayers. The effect of Brigham's rule was to consolidate, to absolutely fuse his whole people until they became an unbroken cordon around their creed. At the same time their moral sentiments became so blunted that, at the command of their chiefs, they simply obeyed, never stopping to question the right or wrong of anything. They remain substantially the same to this day.

Brigham's office fell to John Taylor, but upon George Q. Cannon his mantle, as leader, really descended. He is "First Counselor" of the president—is really the premier of the Mormon state; he is the Mormon attorney in Washington, and, notwithstanding his four wives and four broods of children, he has for years occupied a seat as delegate in Congress, and is the sweetest, smoothest, and most plausible sophist on all this round

earth. His going to Congress at first was meant directly as an insult to the United States. When Brigham Young named him for the place, he said: "I will thrust polygamy down the throats of Congress;" and he did it.

With the death of Brigham Young, the American leadership of the Mormons ceased. Taylor is an Englishman, Cannon is an Englishman, and almost all the leaders are of foreign birth. The Mormon church is a foreign kingdom, hostile in all its features to a republican form of government; it is guided and controlled by foreigners, and depends upon foreigners and the children of foreigners for future expansion and power. It is absolutely un-American in all its attributes. It is a theocracy managed by a plebeian aristocracy, for intellectually the whole organization is of low order. Now, in addition to church ties, there are family ties to hold this people in unity. The organization is fanaticism and superstition solidified. It numbers, probably, one hundred and fifty thousand souls, and is increasing as fast as polygamy and immigration can accomplish the result. It is swiftly peopling all the agricultural valleys of our richest territories, and its leaders boldly proclaim their intention to subjugate the whole Union and bring it under their rule. They exalt their church, over the state; contemn all laws which conflict with any tenet of their creed; are as careless of their oaths as a Chinaman, and bear as little allegiance to the United States government as do the Chinese. The control of the chiefs, as in Mohammedan countries, is absolute; their organization superb; the discipline of the people perfect. From tithes, $1,000,000 annually is collected with which to strengthen their position; they are a hardy race, indifferent to hardships and privations; already they are such a power that demagogues in their own country, other demagogues in Congress, and great moneyed corporations, with their subsidized newspapers, pander to them, and it is plain that this institution, which was jeered at but a few years ago, has now become an absolute terror and menace to the United States.

The organization is governed by a code which is said to be a close copy of that which prevailed in Peru under the rule of the Incas. Of its completeness, an idea may be gained by a statement given to a correspondent of the San Francisco "Chronicle," last month, by Bishop Henry Lunt, of Cedar City, Utah. The bishop said:

"First, there is a President, and he has two Counselors. Second, there are Twelve Apostles. The President is one of them, and there are eleven others. Each of them receives a salary of $1500 per annum. The President wields an authority equal to that of the other eleven. Third, there are seven Presidents designated as the Presidents of the Seventies. Fourth, come the Seventies, with seven Presidents over each, and a President over each of the Sevens. Fifth, come the Seventies, each body of which consists of seventy Elders. There are eighty of these Seventies in Utah, and they are compelled to report at least annually. These constitute the general authorities of the Church. Sixth, is the Head Patriarch of the Church. This dignity is hereditary when the candidate is worthy. The Head Patriarch resides at Salt Lake City, and blesses the people by the laying on of hands. The present incumbent of that sacred position is John Smith, the nephew of Prophet Joseph Smith. Seventh, there is a Presiding Bishop, who attends to the collection of tithes. Eighth, Zion is divided into twenty-three Stakes, each of which has a President. Each Stake is subdivided into wards, and each ward into districts. Each district has a quorum of Teachers, whose business it is to visit each family periodically and look after the spiritual welfare of its members. Each district has a meeting-house, Sunday-school, day-school, Young Men's Mutual Improvement Society, primary association for small children which meets on Saturdays, and usually a dramatic society. Our people at Cedar City have a brass band, a string band, a coöperative store, a coöperative tannery, and a coöperative grist-mill which cost ten thousand dollars. Ninth, come the priests and deacons. In the world the priests preach and baptize, but do not lay on hands. The wisdom of man could never have devised a church organization like that. Out of a total population of one hundred and fifty thousand there are thirty thousand children in Utah under eight years of age. We have a Sunday-school organization known as the Deseret Sunday-school Union, of which George Q. Cannon is Superintendent; he is our Delegate to Congress. Then we have a perpetual immigration fund, in charge of President Albert Carrington. With this we assist in gathering our converts to these valleys. All nations are here represented."

Of the designs of the church, to the same correspondent Bishop Lunt said:

"Like a grain of mustard was the truth planted in Zion, and it is destined to spread through all the world. Our Church has been organized only fifty years, and yet behold its wealth and power. This is our year of jubilee. We look forward with perfect confidence to the day when we will hold the reins of the United States government. That is our present temporal aim; after that we expect to control the continent."

When told by the correspondent that such a scheme seems somewhat visionary, considering the fact that Utah cannot secure recognition as a State, the bishop's reply was:

"Do not be deceived; we are looking after that. We do not care for these territorial officials sent out to govern us. They are nobodies here. We do

not recognize them. Neither do we fear any practical interference by Congress. We intend to have Utah recognized as a State. To-day we hold the balance of political power in Idaho, we rule Utah absolutely, and in a very short time we will hold the balance of power in Arizona and Wyoming. A few months ago, President Snow of St. George set out with a band of priests for an extensive tour through Colorado, New Mexico, Wyoming, Montana, Idaho, and Arizona, to proselyte. We also expect to send missionaries to some parts of Nevada, and we design to plant colonies in Washington Territory.

"In the past six months we have sent more than three thousand of our people down through the Sevier valley to settle in Arizona, and the movement still progresses. All this will help build up for us a political power which will, in time, compel the homage of the demagogues of the country. Our vote is solid, and will always remain so. It will be thrown where the most good will be accomplished for the Church. Then in some great political crisis, the two present political parties will bid for our support. Utah will then be admitted as a polygamous State, and the other territories we have peacefully subjugated will be admitted also. We will then hold the balance of power, and will dictate to the country. In time, our principles, which are of sacred origin, will spread throughout the United States. We possess the ability to turn the political scale in any particular community we desire. Our people are obedient. When they are called by the Church, they promptly obey. They sell their houses, lands, and stock, and remove to any part of the country the Church may direct them to. You can imagine the results which wisdom may bring about, with the assistance of a church organization like ours. It is the completest one the world has ever seen. We have another advantage. We are now and shall always be in favor of woman suffrage. The women of Utah vote, and they never desert the colors of the Church in a political contest. They vote for the tried friends of the Church, and what they do here they will do everywhere our principles and our institutions spread."

That tells the whole story. As the Gulf Stream mixes not with the waters of the ocean on which it rides, and which makes its banks, so this theocracy is pursuing and pressing its distinct way through and over the republic. During the past decade it has waived some of its atrocities, but has not surrendered a tenet of its creed, or abated one jot of its purpose of subjugation.

Is there any remedy? Yes; because, while the masses are sincere, the leaders know perfectly well that the foundation of the whole structure is laid in fraud, and that only its cement of superstition keeps it from toppling and going down with a crash. With them the institution is simply a commercial and political engine, which they work for the purpose of maintaining power and gaining more plunder from their dupes. Nothing can change old Mormons, men or women; but, despite the blinding and benumbing influences of this system, under which so many hearts

of women have broken and are breaking, there is among the young a growing restlessness, an increasing sense of shame and wrong. The conditions are becoming dangerous, and the leaders see it. Utah is not Turkey, or one of the Barbary states; the air is pure; the American flag is overhead; some echoes of the boom of the power-press are beginning to be heard; some flashes of the electric light of knowledge to be seen; and some of the hopes which make jubilant the souls of American youth elsewhere are causing thrills in hearts in Utah which have heretofore been stolid. The thing to do is to strike at the animalism which underlies the Mormon system, and either by a commission, as recommended by President Hayes, or some other means, while guarding carefully all personal and property rights, and shielding those from harm who have sinned through ignorance, wrest the offices (local) from polygamists, make further plural marriages impossible, and never relax until polygamy and the rule of the Mormon church in temporal affairs are forever abandoned. This can be accomplished now. If it is postponed for fifteen years longer, nothing less than an exhaustive civil war will suffice to overcome this open enemy of republican government.

C. C. GOODWIN.

THEOLOGICAL CHARLATANISM.

"THE small philosopher is a great character in New England. His fundamental rule of logical procedure is to guess at the half, and multiply by two. [Applause.]"* It is only two or three years since the "philosopher," from whom this text is quoted, was himself "a great character in New England," inasmuch as he could give a lecture once every week, in one of the largest halls of New England's principal city, and could entertain his audience of two or three thousand people with discussions of the most vast and abstruse themes of science and metaphysics. The success with which he entertained his audience is carefully chronicled for us in the volumes made up from the reports of his lectures, in which parenthetical notes of "laughter," "applause," or "sensation" occur as frequently as in ordinary newspaper reports of stump-speeches or humorous convivial harangues. As a social phenomenon, this singular career of Mr. Cook possesses considerable interest—enough, at any rate, to justify a brief inquiry as to his "fundamental rule of procedure."

Among the wise and witty sayings of the ancients with which our children are puzzled and edified in the first dozen pages of the Greek "Reader," there is a caustic remark attributed to Phokion, on the occasion of being very violently applauded by the populace: "Dear me," said the old statesman, "can it be that I have been making a fool of myself?" So, when three thousand people are made to laugh and clap their hands over statements about the origin of species, or the anatomy of the nervous system, the first impulse of any scientific inquirer of ordinary sagacity and experience is to ask in

* Cook's "Boston Monday Lectures: Biology," page 51.

what meretricious fashion these serious subjects can have been treated, in order to have produced such a result. The inference may be cynical, perhaps, but it is none the less likely to be sound. In Mr. Cook's case, one does not need to read far in the published reports of his lectures to see that his fundamental rule of procedure is something very different from any of the rules by which truth is wooed and won by scientific inquirers. Among Mr. Mill's comprehensive canons of logical method one might search in vain for a specimen of the method employed by Mr. Cook. Of the temper of mind, indeed, in which scientific inquiries are conducted, Mr. Cook has no more conception than Laura Bridgman could have of Pompeian red, or of a chord of the minor ninth. The process of holding one's judgment in suspense over a complicated problem, of patiently gathering and weighing the evidence on either side, of subjecting one's own first-formed hypotheses to repeated verification, of clearly comprehending and fairly stating opposing views, of setting forth one's conclusions at last, guardedly and with a distinct consciousness of the conditions under which they are tenable,— all this sort of thing is absolutely foreign to Mr. Cook's nature. To Mr. Cook, a scientific thesis is simply a statement over which it is possible to get up a fight. The game-cock is his totem; to him the bones of the vertebrate sub-kingdom are only so many bones of contention, and the sponge is interesting chiefly as an emblem which is never, on any account, to be "thrown up." He talks accordingly of scientific men lying in wait for Mr. Darwin, ready to pounce on him like a tiger on its prey; he is very fond of exhibiting what he calls the "strategic point" of a scientific book or theory; and altogether his attitude is bellicose to a degree that is as unbecoming in a minister of the gospel as it is out of place in a discussion of scientific questions. His favorite method of dealing with a scientific writer is to quote from him all sorts of detached statements and inferences, and, without the slightest regard to the writer's general system of opinions or habits of thought, to praise or vituperate the detached statements according to some principle which it is not always easy for the reader to discover, but which has always doubtless some reference to their supposed bearings upon the peculiar kind of orthodoxy of which Mr. Cook appears as the champion. There are some writers whom Mr. Cook thinks it necessary always to berate, no matter what they say. If they happen to say some-

thing which ought to be quite satisfactory to any reasonable person of orthodox opinions, Mr. Cook either accuses them of insincerity, or represents them as making "concessions." This last device, I am sorry to be obliged to add, is not an uncommon one with theological controversialists, whose zeal exceeds their scrupulousness. When a man makes a statement which expresses his deepest convictions, there is no easier way of seeming to knock away the platform on which he stands than to quote his statement, and describe it as something which he has reluctantly "conceded." With the principal writers on evolution, Mr. Cook is continually found resorting to this cheap and vulgar device. For example, when Professor Tyndall declares that "if a right-hand spiral movement of the particles of the brain could be shown to occur in love, and a left-hand spiral movement in hate, we should be as far off as ever from understanding the connection of this physical motion with the spiritual manifestations,"—when Professor Tyndall declares this, he simply asserts what is a cardinal proposition with the whole group of English philosophers to which he belongs. With Professor Huxley, as well as with Mr. Spencer, it is a fundamental proposition that psychical phenomena cannot possibly be interpreted in terms of matter and motion, and this proposition they have at various times set forth and defended,—and what is still more to the purpose, have proved it. In the chapter on "Matter and Spirit," in my work on "Cosmic Philosophy," I have fully expounded this point, and have further illustrated it in treating of the "Unseen World." With the conclusions there set forth, the remark of Professor Tyndall thoroughly agrees, and it does so because all these expressions of opinion and all these arguments are part and parcel of a coherent system of anti-materialistic thought adopted by the English school of evolutionists. Yet when Mr. Cook quotes Professor Tyndall's remark, he does it in this wise: "It is notorious that even Tyndall *concedes*," etc., etc.

By proceeding in this way, Mr. Cook finds it easy to make out a formidable array of what he calls "the concessions of evolutionists." He first gives the audience a crude impression of some sort of theory of evolution, such as no scientific thinker ever dreamed of, or, to speak more accurately, he plays upon the crude impression already half formed in the average mind of his audience, and which, to do him justice, he seems to share himself. The *average* notion of the doctrine of evolution possessed

in common by an audience big enough to fill Tremont Temple, would no doubt seem to Mr. Darwin or to Mr. Spencer something altogether fearful and wonderful. Playing with this sort of crude material, Mr. Cook puts together a series of numbered propositions, which remind one of those interminable auction-catalogues of Walt Whitman, which some of our British cousins, more ardent than discriminating, mistake for a truly American species of inspired verse. In this long catena of statements, almost everything is easily seen to disagree with the crude general impression to which the speaker appeals, and almost everything is accordingly set down as a "concession." And as the audience go out after the lecture, they doubtless ask one another, in amazed whispers, how it is that sensible men who make so many "concessions" can find it in their hearts to maintain the doctrine of evolution at all!

Sometimes Mr. Cook goes even farther than this, and, in the very act of quoting an author's declared opinions, expressly refuses to give him credit for them. Thus he has the impudence to say: "Even Herbert Spencer, *who would be very glad to prove the opposite*, says, in his Biology, 'The proximate chemical principles or chemical units—albumen, fibrine, gelatine, or the hypothetical proteine substance—cannot possess the property of forming the endlessly varied structures of animal forms.'" Mr. Cook here lays claim to a knowledge of his author's innermost thoughts and wishes which is quite remarkable. For a fit parallel one would have to cite the instance of the German who flogged his son for profanity, though the boy had not opened his mouth. "You dinks tamn," exclaimed the irate father, "and I vips you for dat."

As there are some writers whom Mr. Cook thinks it always necessary to vituperate, no matter what they say, so there are others whom he finds it convenient to quote, as foils to the former, and to mention with praise on all occasions, though it is difficult to assign the reasons for this preference except on the hypothesis that Mr. Cook has an implicit faith in the simple and confiding nature of his audience. Before giving these lectures, Mr. Cook had studied a while in Germany, and his citations of German writers show how far he deems it safe to presume on New England's ignorance of what Germany thinks. It is nice to have such a learned country as Germany at one's disposal to hurl at the heads of people whose "outlook in philosophy does not

reach beyond the Straits of Dover"; it saves a great deal of troublesome argument, and still more painful examination of facts. This English opinion is all very well, you know, but it comes from a philosopher "whose star is just touching the western pines," and a German whom I am about to quote, whose book I "hold in my hand," and "whose star is in the ascendant," does not agree with it. All this is extremely neat and convincing, apparently, to the crowd in Tremont Temple. With all Germany at his disposal, however, it must be acknowledged that Mr. Cook makes a very sparing use of his resources. He quotes Helmholtz and Wundt every now and then with warm approval, though wherein they should be found any more acceptable to the orthodox world than Tyndall and Bain, it is not easy to see, save that the ill-repute of German free-thinkers takes somewhat longer to get diffused in New England than the ill-repute of English free-thinkers. Then, among these great Germans who are to set the English-speaking world aright, we have Delitzsch! To speak of Wundt and Delitzsch is as if one were to speak of John Stuart Mill and Stephen Pearl Andrews! And then comes the admirable Lotze, whom Mr. Cook is continually setting off as a foil to Herbert Spencer. On page 179 of the lectures on "Heredity" he enumerates, with special emphasis, those opinions of Lotze which he regards as of especial importance with regard to the relations between matter and mind, and then proceeds to deprecate the "thunder" which he presumes he has evoked "from all quarters of the Spencerian sky." But, considering that the propositions he quotes from Lotze express the very views of Herbert Spencer, only somewhat inadequately worded, it would seem that the alarm Mr. Cook expresses cannot be very real, and the thunder in question is only a kind of comic-opera thunder manufactured behind the curtain for the benefit of the acquiescent audience. For example, the fourth proposition quoted with approval from Lotze by Mr. Cook reads thus: "Physical phenomena point to an underlying being to which they belong, but do not determine whether that being is material or immaterial." Now this is Spencerism, pure and unmitigated, and it is a crucial proposition, too, pointing out the drift of the whole philosophy before which it is set up. The fact that Mr. Cook adopts such an opinion when stated by Lotze, but vituperates the same opinion when stated by Spencer, reveals to us, with a pungent though

not wholly delicious flavor, the "true inwardness" of his "fundamental method of procedure."

That method, it must be acknowledged with due reference to the *bon mot* of the old Greek statesman, is a method well adapted to conciliate the favor of an immense audience, even in so cultivated a city as Boston. We are descended from fighting ancestors, and many of us, who care little for the disinterested discussion of scientific theories, still like to see a man knocked down or impaled, provided the knocking down be done with a syllogistic club, or the impaling be restricted to such a hard substance as is afforded by the horns of a dilemma. It satisfies our combative instincts, without shocking our physical sympathies or making any great demand on our keener thinking powers, which most people do most of all dislike to be called upon to exercise. To this kind of feeling Mr. Cook's lectures appeal, and the peculiar character of his success seems to show that he knew very well how to deal with it. In a moment of winning frankness he exclaims: "Do you suppose that I think that this audience can be *cheated?* I do not know where in America there is another weekly audience with as many brains in it; at least, I do not know where, in New England, I should be so likely to be tripped up if I were to make an incorrect statement as here." ("Biology," page 67.) After this persuasive little dose of what the newspapers call "taffy," Mr. Cook proceeds to show his respect for the learning of his audience in some remarks on *bathybius*, which, as he condescendingly explains, is a name derived from two Greek words, meaning *deep* and *sea!!* The profound knowledge of elementary Greek thus shown is quite equaled by his account of bathybius from the zoölogical point of view. He begins by telling his hearers that, in a paper published in the "Microscopical Journal" in 1868, Prof. Huxley "announced his belief that the gelatinous substance found in the ooze of the beds of the deep seas is a sheet of living matter extending around the globe." Furthermore, of "this amazingly strategic (!!) and haughtily trumpeted substance . . . Huxley assumed that it was in the past, and would be in the future, the progenitor of all the life on the planet." Now, it is not true that, in the paper referred to, Prof. Huxley announces any such belief, or makes any such assumption, as is here ascribed to him; but we shall see, in a moment, that Mr. Cook's system of quotation is peculiar in enabling him to extract from

the text of an author any meaning whatever that may happen to suit his purposes. This slanderous misrepresentation enables the lecturer to come in with great effect at the close of his third lecture, and earn an ignoble round of applause, by holding up the current number of the "American Journal of Science and Arts" (which he would appear to have picked up at a book-store on his way to the lecture-room) and citing from it, as the fifty-first and closing "concession" of evolutionists, "that bathybius has been discovered in 1875, by the ship Challenger, to be—hear, O heavens! and give ear, O earth!—sulphate of lime; and that when dissolved it crystallizes as gypsum. [Applause.]" This is what Mr. Cook calls striking, with the "latest scientific intelligence," at the "bottom stem" of the great tree of evolution. The "latest scientific intelligence" with him means the last book or article which he has glanced over without comprehending its import, but from which he has contrived to glean some statement calculated to edify his audience and scatter the hosts of Midian. In point of fact, the identification of bathybius with sulphate of lime was set down by Sir Wyville Thomson only as a suspicion, to which Prof. Huxley, like a true man of science, at once accorded all possible weight, while leaving the question open for further discussion. Only a mountebank, however, dealing with an audience upon whose ignorance of the subject he might safely rely, could pretend to suppose that the fate of the doctrine of evolution was in any way involved in the question as to the organic nature of bathybius. The amazing strategy was all Mr. Cook's own, and the haughty trumpeting appears to have been chiefly done with his own very brazen instrument.

I said a moment ago that Mr. Cook's system of quotation is peculiar. The following instance is so good that it will bear citing at some length. According to Mr. Cook, Prof. Huxley says, in his article on Biology in the ninth edition of the "Encyclopædia Britannica": "*Throughout almost the whole series of living beings, we find agamogenesis, or not-sexual generation.*" After a pause, Mr. Cook proceeded in a lower voice: "When the topic of the origin of the life of our Lord on the earth is approached from the point of view of the microscope, some men, who know not what the holy of holies in physical and religious science is, say that we have no example of the origin of life without two parents." Mr. Cook then cites the

familiar instances of parthenogenesis in bees and silk-moths, and proceeds: "Take up your Mivart, your Lyell, your Owen, and you will read [where?] this same important fact which Huxley here asserts, when he says that the law that perfect individuals may be virginally born extends to the higher forms of life. I am in the presence of Almighty God; and yet, when a great soul like the tender spirit of our sainted Lincoln, in his early days, with little knowledge but with great thoughtfulness, was troubled by this difficulty, and almost thrown into infidelity by not knowing that the law that there must be two parents is not universal, I am willing to allude, even in such a presence as this, to the latest science concerning miraculous conception. [Sensation.]"

Concerning the good taste, or the orthodox propriety, of "approaching the origin of the life of our Lord on earth from the point of view of the microscope," something might be said were there need of it. The rhetorical vulgarity of the above passage will be as obvious to most of our readers as its logical absurdity. All that I am now concerned with, however, is its unscrupulous misstatement. Let us look back for a moment at the italicized quotation from Prof. Huxley, upon which Mr. Cook builds up the statement "that the law that perfect individuals may be virginally born extends to the higher forms of life." Then let us turn to Prof. Huxley's article and see what he really does say. Treating of the whole subject of agamogenesis in the widest possible way by including it under the more general process of cell-multiplication, Prof. Huxley says: "Common as the process is in plants and in the lower animals, it becomes rare among the higher animals. In these, the reproduction of the whole organism from a part, in the way indicated above, ceases. At most we find that the cells at the end of an amputated portion of the organism are capable of reproducing the lost part, and, in the very highest animals, even this power vanishes in the adult. . . . *Throughout almost the whole series of living beings, however, we find concurrently with the process of agamogenesis, or asexual generation,* another method of generation, in which the development of the germ into an organism resembling the parent depends on an influence exerted by living matter different from the germ. This is *gamogenesis*, or sexual generation." (Encyc. Brit., 9th edition, "Biology," page 686.) Comparing the italicized passage here with Mr. Cook's italicized quotation, we see vividly illustrated the "fundamental

method of procedure" by which the "Monday Lectureship" jumps from a statement about the reproduction of a lobster's claws to the inference that a man may be born without a father. Every one has heard of the worthy clergyman who introduced a scathing sermon on a new-fangled variety of ladies' head-dress by the appropriate text, "Top-knot come down!" On being reminded by one of his deacons that the full verse seemed to read, "Let him that is upon the house-top not come down," the pastor boldly justified his abridgment on the ground that any particular collocation of words in Scripture is as authoritative as any other, since all parts of the Bible are equally inspired. Probably Mr. Cook would justify his own peculiar principle of abridgment on the familiar ground that the end sanctifies the means, and that if a statement seems helpful to "the truth" in general, it is no matter whether the statement itself is true or not.

Enough of this. If we were to go through with Mr. Cook's volumes in detail, we should find little else but misrepresentations of facts, misconceptions of principles, and floods of tawdry rhetoric, of which the specimens here quoted are quite sufficient to illustrate his "fundamental method of procedure." I have not treated him seriously or with courtesy, because there is nothing in his matter or in his manner that would justify, or even excuse, a serious method of treatment. The only aspect of his career which really affords matter for grave reflection is the ease with which he succeeded for the moment in imposing on the credulity and in appealing to the prejudices of his public. The eagerness with which the orthodox world hailed the appearance of this new champion—whose very orthodoxy withal seems to be but little sounder than his science—cannot but remind one, with sad emphasis, of Oxenstjern's famous remark: "*Quam parva sapientia mundus regitur!*"

JOHN FISKE.

RECENT PUBLICATIONS IN PHYSICS.

A Physical Treatise on Electricity and Magnetism. By J. E. H. Gordon, B. A., Camb., Assistant Secretary of the British Association. In two volumes. London: 1880. Pp. xviii., 323; xvii., 295. 8vo.

Handbuch der Mechanischen Wärmetheorie. Bearbeitet von Dr. Richard Rühlmann. Zweiter Band. Zweite Lieferung. Braunschweig: 1880.

Catalogue of Books and Papers relating to Electricity, Magnetism, the Electric Telegraph, etc., including the Ronalds Library. Compiled by Sir Francis Ronalds, F. R. S. With a Biographical Memoir. Edited by Alfred J. Frost. London: 1880. Pp. xxvii., 564. 8vo.

Bericht über die wissenschaftlichen Instrumente auf die Berliner Gewerbeausstellung im Jahre 1879. Herausgegeben von Dr. L. Loewenherz, Regierungsrath bei der Kaiserl. Normal-Eichungs-Kommission. Berlin: 1880. Pp. viii., 535. 8vo.

THE advance of physical science, within the past few months, has been not less rapid, and its gains not less substantial, than hitherto; but, with the ever-increasing extent of the field of inquiry, the lines along which scientific investigation has been pushing forward into the region of the unknown have become so numerous that it is quite impossible, in the space of a single article, to summarize even briefly the many important discoveries, or to notice more than a few of the publications which possess a special interest.

Among the more recent scientific publications, Gordon's "Treatise on Electricity and Magnetism" commands notice, as an exposition of the more modern aspects of the subject, and as embodying the most important results of recent investigation. According to the statement of the author, a controlling idea in the construction of the work has been the hypothesis "adopted by Newton, Faraday, and Maxwell," and which now, it may be said, meets with general though not universal acceptance, that there is no such thing as "action at a distance," as it was formerly understood,—that is, action from one point to another without the intervention of any material substance,—but that all electrical actions are transmitted from place to place by strains of some continuous medium filling the intervening space. The

word *strain*, it must be understood, has here a somewhat technical use, introduced by Rankine, and means simply alteration of size or shape of the medium, or any portion of it, without including the notion of the force which causes it. It must be observed that Maxwell himself, in his treatise upon electricity, employs the word *stress*, referring constantly to the forces at work, and that Newton and Faraday can hardly be said with propriety to have adopted the idea of strains, which is a modern differentiation, though their notions of the transmission of force through space did substantially involve something like it.

The author's presentation of his subject is principally from the physical side, in the description of actual experiments, with accounts of the apparatus used, and details of its construction and manipulation, excluding mathematical discussions, except such comparative simple computations as are necessary for the calculation of results. The general divisions of the subject are four—namely, Electro-Statics, Magnetism, Electro-Kinetics, and Electro-Optics. Of these, the first, which occupies nearly half of the first volume, embraces, in the earlier chapters, descriptions of the simple and familiar phenomena in which some of the most characteristic effects of electricity are manifested, and of various forms of statical electrical machines. The meaning of quantity, as applied to electricity, the laws and mode of action of electrical force, density, and potential are subjects treated in the following three chapters. Succeeding sections contain descriptions of some of the numerous kinds of electrometers, and discussions of the phenomena of the Leyden jar. A long chapter on specific inductive capacity completes this portion of the work. Considerable prominence is given the experiments of Cavendish in the last century, which were the precursors of the modern methods, and had remained comparatively unnoticed until Maxwell called attention to their great value.

The second part, Magnetism, forms a very brief portion of the volume, and is chiefly devoted to descriptions of the Kew instruments for the determination of terrestrial magnetism. What is given is generally well done, but the range of topics is too limited. As a presentation of such an important subject, it is very inadequate. In some cases, the brevity, or incompleteness, of the statements leads to erroneous impressions, or even to gross inaccuracy. For example, in speaking of the connection between the changes of terrestrial magnetism and sun-spots, the author

merely instances the great magnetic storm of 1859, which was coincident with the appearance of one of the largest spots ever observed, though on a previous page, under a different heading, he quotes the discovery of Hofrath Schwabe of the exact agreement of the decennial period of magnetic disturbances with a similar period observable in the recurrence of solar spots. So, of the connection between the aurora and magnetism, it is remarked that the observations at Point Barrow, in 1852–3–4, "the best we yet have, cannot be said to have established any definite law of connection." But what information respecting a period of ten or eleven years could be expected from any series of observations extending over some three years, however carefully made? The results published by Professor Loomis, in 1873, derived from a discussion of observations extending over a period of about one hundred years, do show a most remarkable coincidence between the maxima and minima of auroral frequency, those of the mean daily range of magnetic declination, and those of the relative extent of sun-spots as deduced from Wolf's table of results. A not less decisive conclusion was reached by Professor Balfour Stewart, from the discussion of observations made at Kew. It is contained in an article published by him in "Nature," in 1877. It is true that there has been some controversy as to the precise length of these periods, and their exact equality among themselves, but the fact of a general agreement, both in the time and magnitude of the phenomena, is too well established to be questioned now, and too important to be overlooked. The great mass of the literature of the subject should have been consulted before dismissing a topic of such moment.

The remaining portion of the first volume is occupied with the phenomena produced by the passage of electricity through conducting substances, under the title "Electro-Kinetics." Apparatus, methods and units of measurements of electrical quantities, are discussed in the different chapters, which embody the results of numerous elaborate investigations. The subject is continued in the second volume, of which it forms more than the half. The discharge of electricity in rarefied gases, in the so-called vacuum-tubes, is accorded a space which, important and beautiful as the effects in many cases are, seems disproportionate. The insertion of long extracts from the original memoirs, instead of well-digested summaries, gives to this portion of the work the appearance of having been hastily prepared.

Under the title "Electro-Optics" are grouped the various relations which have been discovered between the action of electricity and certain optical effects. This branch of the subject has for a long time been an attractive one to physicists; but it has recently been very much advanced. A great impulse to the study of it has been given by the suggestive theory of Maxwell, upon the intimate connection between luminous vibrations and the motion of an electrical current. This assumes that the disturbances which result in light and electricity take place in the same ether, and are similar in their nature; from which it would naturally follow that the rate of propagation of electro-static induction should be about the same as the velocity of light, and further, it is concluded that the refractive index of any substance should be equal to the square root of its specific inductive capacity. This affords a test for the theory, and renders it capable of experimental proof or refutation. The few determinations thus far made appear to sustain it, but are not decisive. The author quotes, besides his own experiments, those of Boltzmann, upon crystalline sulphur, those of Schiller, for paraffine and India-rubber, and those of Silow, upon oil of turpentine, which show an approximate verification of Maxwell's law, but still leave much to be desired. No mention is made of Professor E. Root's results, which were obtained by a long and elaborate research in the laboratory of Professor Helmholtz, in Berlin, in which it was shown that, in the case of sulphur and Iceland spar, the relation is so far from being accurately verified as to necessitate the additional assumption of a complete conduction accompanying the dielectric polarization, as in Faraday's theory. Yet, Root's memoir is to be found in the same volume of Poggendorff's "Annalen," with a paper by Silow, quoted by the author.

We have been able to speak of but few of the numerous topics discussed in these handsome volumes. Of the author's method, it may, in general, be said that his enunciations and definitions are carefully expressed and clear, with a commendable freedom from superfluous verbiage. But he is not always thus happy nor always accurate. As has been suggested, some topics appear unduly expanded, for which, if novelty of the facts narrated may be admitted as a reason, it will hardly be judged a sufficient one in a work of this kind. On the other hand, the restricted range of the topics, already mentioned in a particular instance, is a feature of the book as a whole. The expression in the preface, "My

object in this treatise has been to give a complete account of such portions of Electrical Science as I am acquainted with," leaves it doubtful whether the author intended to present a complete view of the subject, or whether he has simply followed a natural tendency to give greater prominence to those topics in which he was especially interested, and to those forms of apparatus with which he was most familiar. Unquestionable as is the importance of the former, and the excellence of the latter, it is greatly to be regretted that so many things have been omitted which should find their place in a complete manual. The illustrations are most admirable, both in their execution and with reference to the selection of objects to be represented. They are for the most part new, and the drawings for them have evidently been made with great care. It would be difficult to find a book in which this part of the work has been better done.

In marked contrast with the work just described, both in method and matter, is Rühlmann's "Hand-Book of the Mechanical Theory of Heat," of which a second part of the second volume has recently been issued. The first portion of the work, which was published in 1873, contained a translation of Verdet's two lectures given before the Chemical Society of Paris, in 1862, and the same author's work on the mechanical theory of heat was made the foundation of this book. But the additions made necessary by more recent developments of the science have given to the later portions the character of a new and original work. The part last issued continues the discussion of Thermo-Chemistry, including the relation between heat and work in chemical reactions, so ably investigated by Thomsen, Berthelot, and others; chemical dissociation produced by heat, the thermal phenomena of explosive bodies, and the theory of gas-engines. The development of heat by electricity occupies the remainder of the issue. It has been the aim of the author to give the subject a thorough treatment and systematical mathematical development, and the work bears evidence of great research and careful collation of the experimental results obtained by the numerous investigators who have worked at these important problems.

A valuable and interesting addition to the bibliography of electrical science is the Ronalds Catalogue, recently issued by the Society of Telegraph Engineers of London. It forms a thick octavo volume of nearly six hundred pages, which, for convenient insertion of additional titles, are printed upon one side

only, with a short preface, and a biographical memoir of the author, Sir Francis Ronalds, who in 1870 received the honors of knighthood as a tardy recognition of his "early and remarkable labors in telegraphic investigations," and who died in 1873 at the age of eighty-three years. The memoir is of peculiar interest in giving an account of the life and achievements of a man whose retiring disposition and sensitive nature prevented him from winning, in any adequate degree, the recognition which his inventive sagacity, mechanical skill, and scientific ability entitled him to receive. He is indeed now well known in connection with the history of the telegraph, as an inventor so far in advance of his time, that his ideas, although demonstrated by actual experiment to be practicable, and embodying a principle which has been realized in several forms of modern telegraphic apparatus, were wholly unappreciated. As early as 1816 he had actually worked a telegraphic line eight miles in length by means of statical electricity, and proved the practicability of rapidly conveying intelligence to a distance by this means. At that time a semaphore line was in use by the Admiralty for conveying dispatches from London to Portsmouth, the principal naval station of England, and was maintained at a cost of two thousand pounds sterling per annum. Ronalds proposed to Lord Melville, then First Lord of the Admiralty, to exhibit the advantages of his own invention as a substitute, and requested an interview. The departure of Lord Melville from town for some weeks prevented this, and very shortly afterward the inventor received from the Secretary of the Admiralty, afterward Sir John Barrow, the famous communication, which will always hold a place in the history of electrical science as a choice illustration of official conservatism, to the effect "that telegraphs of any kind are now wholly unnecessary; and that no other than the one now in use will be adopted." Ronalds took his disappointment very philosophically, but was apparently discouraged from further efforts to introduce his invention, contenting himself with publishing an account of it in a little book, now become rare, and not even caring to protect his interests by a patent.

On the establishment of the Kew Observatory in 1842, Ronalds was made its first Honorary Director and Superintendent, a position which he occupied for nine years. During this time his inventive genius found full scope, and he made important contributions to electrical and magnetical science in devising

instruments and methods of observation, among which was the application of photography to render the instruments self-recording—this alone, as his biographer well remarks, being "sufficient to render his name famous." The catalogue, of which mention has been made, had been in progress for some years, and after his retirement from the position at Kew this, with the collection of the library, was the principal occupation of the remainder of his life. In this work a residence abroad, especially in Italy, gave him excellent facilities for amassing many rarities, and for extending his acquaintance with the literature of electrical science. The library became in time a large and very valuable collection of electrical works, containing many books and memoirs not now easily accessible elsewhere. An especial feature of it is the possession of many works which had once been the personal property of men whose names are eminent in electrical science. The library is supposed to have been originally intended by its owner for the Royal Society, of which he was a Fellow, but it ultimately came into the possession of the Society of Telegraph Engineers, under certain conditions, of which the publication of this catalogue was one. The work appears to have been carefully edited by Mr. Frost, and will be very valuable to students of electricity as a book of reference, especially to such as can have access to the collection itself. It in a measure supplements, so far as its special subject is concerned, the magnificent index to scientific memoirs issued by the Royal Society, which is limited to papers published in scientific journals and the transactions of learned societies. Besides the ordinary bibliographical matter of the various entries, the author has in many instances added some brief particulars respecting the writers, as the place of residence, time of birth and death, official or professional position, and the like. By the terms of his will it was required that it should be published without alteration, so that it is not brought up to the date of publication—a defect which the Society propose to remedy by issuing a supplement, for which they have a large amount of material in hand.

A very interesting and instructive report upon the scientific instruments displayed at the Industrial Exhibition held at Berlin, in 1879, has been published by Dr. L. Loewenherz, assisted by a number of German scientists of high eminence, who have taken an evident and commendable pride in exhibiting to the world the great progress which has been made by their country-

men in the construction of instruments of precision for scientific observations. The report forms a volume of over five hundred pages, profusely illustrated with excellent cuts. We have not the space to particularize the contents of the book, which will commend themselves to every one interested in physical instruments of research. A noticeable feature shown in many of the new forms of apparatus is the adoption of devices for combining increased range of use with convenience of manipulation and great precision in the readings. In some cases a tendency toward too great complexity of parts is apparent, as in the kathetometer figured upon page 182, which, judging from the description, has been so overloaded with heavy accessories as to develop a flexure of the main support, sufficient to seriously impair the value of measurements made with it.

A few months since, Professor C. A. Young announced the curious fact that, when the quantity and temperature of sodium vapor present in the flame of a Bunsen lamp are greatly increased, the spectrum of the light exhibits two bright lines in place of each of the components of the double line ordinarily seen. This peculiar modification of the spectrum has recently been observed by him on several occasions at the base of solar prominences, the double reversal occurring in the lines belonging to sodium, and in some of those belonging to magnesium. This interesting observation is described in a communication published in the "American Journal of Science" for November last. The same article contains an account of an arrangement in which, by the use of a diffraction grating of unusually fine quality, a spectroscope was constructed giving an enormous dispersion with very excellent definition of the spectral lines. The author has applied this instrument to the study of the lines, seventy in number, which in Ångström's map are represented as common to two or more substances, with the result that fifty-six of them have been distinctly seen to be double or triple, seven are doubtful, and only the remaining seven appear to be single. The question whether or not the components of these complex lines are still common to the spectra of different metals must be settled by further research, but it will have an important bearing upon theories recently advanced, in which an argument for the derivation of different chemical elements from some common substance is drawn from the assumed identity of lines observed in their spectra.

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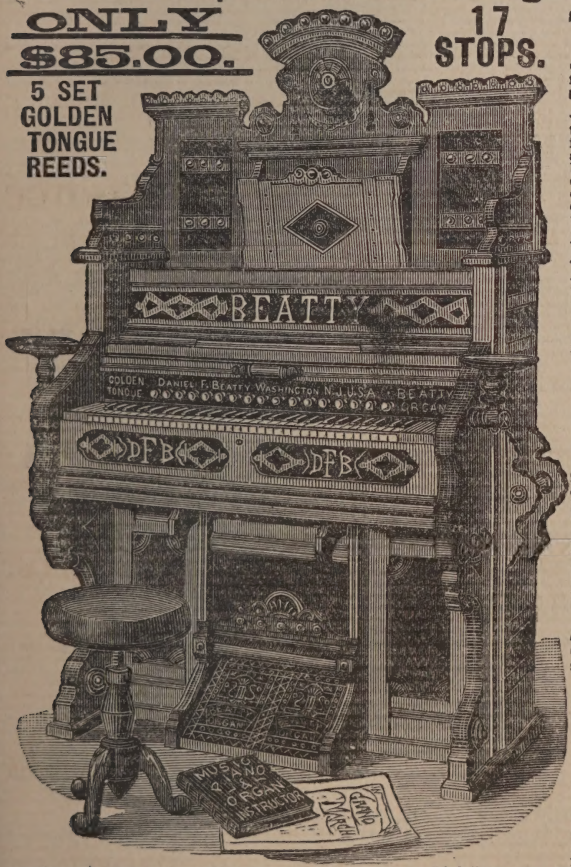

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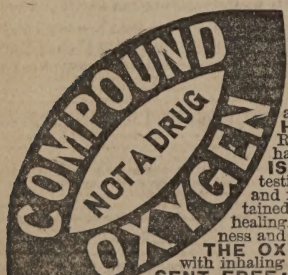

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NORTH AMERICAN REVIEW.

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APRIL, 1881.

REFORM *versus* REFORMATION.

REFORM, amendment; re-formation, making over, forming anew. Re-formation may be no amendment; amendment may be without re-formation. Reform embraces every change for the better, whether of form or substance. Re-formation includes all change whether for good or ill. The common derivation of these terms is responsible for much confusion of signification. Change is not infrequently denominated reform when it lacks any element of improvement, while reform is perhaps as often regarded as incompatible with the absence of change.

A familiar instance of this is seen in the use of the term "Civil-Service Reform." As an article of political faith it signifies a proposed change in the organization of our civil service. As a weapon of offense or defense to the "reformer," it includes every possible amendment of our civil administration. The "reformer" proposes certain specific changes in the selection, promotion, and tenure of our minor civil officers. Whether these changes would be beneficial to the country may be a question of grave doubt. Yet the "reformers" invariably declare that any one who expresses such doubt is by that fact shown to be affected with a desire to prevent the reform—*i. e.*, the amendment—of the civil service. The dual signification of this term has been the cause of no little harsh language which might otherwise have been avoided, and given rise to some apparent subterfuge which it is hardly pleasant to contemplate.

Because of this ambiguity, "reform" has become a catch-word of peculiar value to the advocate of mere change, whether in church or state. The implication of good to be achieved by the change proposed, and the quiet assumption of more exalted motive and exceptional purity, which is involved in the adoption of this name, is peculiarly flattering to the self-regard of the one who assumes it, as well as irritating to the consciousness of equality on the part of the one who opposes or doubts. The "reformer," when once he has obtained undisputed possession of this word, has always an immense advantage of position. Anything which is susceptible of reform is, *a priori*, incapable of defense. Then, too, "reform" is a cloak which may be made to cover a multitude of sins. The motives of a "reformer" are presumed to be above suspicion. Ambition, pride, self-seeking, and revenge are altogether inconsistent with the ideas of purity, self-sacrifice, and devotion to principle implied by the word "reformer." It is but natural, therefore, that every one who proposes a change in existent methods of thought or action should make haste to seat himself upon the hill-top of "reform," and whoever dares to question the wisdom of his proposed change is sure to be roundly denounced as obstructing progress, opposed to improvement, and desirous of promoting and continuing all the evils of the system which the "reformer" proposes to change.

So, in reference to civil-service reform, one is compelled to accept the specific changes proposed for better or worse, or be held to favor the most flagrant abuses of the present system. This is hardly fair, but it is, perhaps, unavoidable. A man may undoubtedly question the efficiency of a remedy without desiring to promote disease; but he who has passed beyond the region of doubt in regard to any proposed change, is usually so intense and clear in his own conviction that he regards the man who questions his theory, while admitting the evil, as even worse than he who clings to the wrong he proposes to abolish. Luther fought the See of Rome, but poured the fiercest vials of his wrath upon Zwinglius for differing as to the method of assault. Calvin thundered for the right of private conscience, but struck hands with the Papal persecutor, and roasted Servetus for inventing a new theory of the operation of grace.

It was this, no doubt, that led both of our great political parties to insert in their platforms high-sounding declarations in favor of reform of the civil service. To suppose that either party meant to bind itself to support the peculiar changes proposed by

the "reformers" is absurd. Such a construction is utterly inconsistent with the record of both parties in the exercise of their respective powers. The platforms were, no doubt, intended to be so taken by those inclined to favor the proposed re-formation, and by those unfavorable to this change, or doubtful of its policy, as meaning the amendment of the service by other and undefined methods. The draughtsmen simply played upon the double meaning of the word reform. They hid behind an ambiguity, and cheated with an undistributed middle. It was an artifice not at all creditable, yet by no means unusual in political definition. But the "reformers" cannot complain. It was but a repayment to them in their own coin. They had already been guilty of a like duplicity. They had apparently selected the ambiguous term for the very purpose of making capital out of its adjustable import. They were wounded by a two-edged sword of their own forging. Beyond question, very many of both classes use this term in its twofold sense without being conscious of the ambiguity.

No doubt the average civil-service "reformer" believes that the proposed system will actually reform, if carried into effect, and it is beyond question that every thoughtful individual of both parties recognizes the fact that there are evils and abuses in our present civil service which are, presumably, curable by some means. It is probable, too, that the greater proportion of both parties desire that these evils shall be remedied. Some, no doubt, favor the proposed system; others as honestly doubt its efficacy or fear its results; while still others, without any distinct comprehension of its nature, vaguely regard it as a sort of millennial extinguisher of all forms of evil or abuse in connection with every branch of the civil service.

On account of these diverse impressions, no doubt both of the great parties were afraid to declare themselves opposed to the re-formation of our service on the plan proposed, lest it should be construed into a declaration against the reform—*i. e.*, the amendment—of the service by *any* practical method, while entirely willing to assent to a general declaration in favor of the amendment of abuses not committing them to any specific method. The "reformer" may denounce this as a subterfuge, and so it is, but a subterfuge for which he prepared the way and issued the invitation. The constant iteration of the cry that those who oppose the plan laid down by them are in favor of "spoils

and corruption," may be said in a considerable degree to have excused the treatment they have received by party conventions.

It is fairly inferrable from these ambiguous declarations and the course of action of the two parties that they are neither of them really in favor of the proposed re-formation, however much they may favor reform itself. It is now thirteen years since Mr. Jenckes brought this subject to the attention of the House of Representatives by his masterly report from the Joint Select Committee on Retrenchment—a report which still remains the strongest, fairest, and most statesmanlike presentation of the change proposed that has yet been made. The earnest, manly sincerity of Mr. Jenckes, and his undoubted desire to uncover and candidly consider every phase of the question involved, as well as his quiet pertinacity in pushing ideas to a practical issue, make it a matter of great regret that he was so soon removed from the discussion of the question he had propounded. A few rules and unimportant reports from the Civil Service Commission, with scattered articles in newpapers and magazines, constitute the literature of this movement, if we except the recent work of Mr. Dorman B. Eaton upon the "Civil Service in Great Britain." This work is a most interesting and valuable treatise upon an interesting portion of English political history. It has, no doubt, an important bearing upon two of the phases presented by our American movement, but cannot be accepted as at all conclusive as an argument for the adoption of a like system here. It is also open to this objection, that the author is so strong in his partisanship of a favorite idea that he can find no weakness or defect in its organic character or practical operation, nor is he willing to admit that any one who opposed the movement in Great Britain acted from other than corrupt and unworthy motives. According to Mr. Eaton's view there have been no honest men or patriots in England except the civil-service reformers. One is impressed after repeated readings with the idea that he deems this system a specific for all the possible ills of administration,—that for the first time a human thought has been evolved, which has the non-improvable quality usually ascribed alone to the language of inspiration. Especially is it unpleasant to note that the complaints of such distinguished natives of India as Sir Dinkhur Rao, and the reiteration of them by the most intelligent of recent English writers upon India, in regard to the character (not the economic efficiency) of the appointees under the civil-service rules in India, should have made no impression upon the

author while he carefully notes the opinions of the higher officers of the Indian Government in regard to their intelligence and efficiency in the performance of routine duties. So far as the English analogy is applicable to the conditions of our American system, however, Mr. Eaton may be said to have exhausted the argument therefrom. Its results, of course, even in England, are limited as yet to two points of view, to wit, the prime cost and formal efficiency of the service. So far as its wider and deeper influences upon the social and political life of the nation are concerned, it is yet too soon to trace them with any certainty.

The practical fruits of the movement here consist of the adoption of a set of rules governing admission to the civil service, under President Grant, an apparent attempt to enforce them for a time, and their final abandonment or at least practical non-user in many branches of the service, and modified application to others. Under President Hayes there has been some considerable show of progress in this direction. Some rather flaming general orders have been followed by many very significant failures to enforce them. The adherence to rule has been less notable than the numerous exceptions. Assuming to be a "reform" administration, it has yet found it necessary to illustrate the evils of patronage by numerous and glaring examples. This constitutes the sum of the Republican party's contribution toward a practical re-formation of the civil service on the basis urged by the "reformers."

The Democratic party, aside from its arraignment of the Republican party for its failure to do more, has shown its devotion to this idea only by offering, at the last moment of its lease of power, a bill which provides—so far as any mere act of Congressional legislation can—for the application of the basis principles of the change demanded, to future appointments and promotions. It is somewhat unfortunate for the reputation of its movers, for sincerity, that this bill comes at the time it does. After four years of supremacy in Congress they find themselves not only beaten in the Presidential election but also in danger of losing control very soon even of the Senate. When it thus becomes manifest that they will probably have neither the power to appoint nor the power to confirm during the next Presidential quadrenniate, they bring forward this measure of so-called "reform." It is greatly liable to the suspicion of being designed merely to worry their opponents and to embarrass the incoming administration by charging it with the duty of making an experiment

which is more than likely to be unpopular, at least in its immediate results.

This failure of both parties to carry into practical effect the changes desired by the civil-service "reformers" has been by them attributed solely to a desire on the part of the leaders of the respective parties to perpetuate the evils and abuses of the present system, or, as they are wont to phrase it, "to control the spoils." They are unwilling to admit that any one can hesitate between what we have and what they propose, except from some selfish or corrupt motive. They do not admit that one may "rather bear those ills we have than fly to others that we know not of," because they do not recognize the fact that any evils can exist under the system which they would inaugurate.

It would seem that such an universal impeachment of motive on the part of the "reformers" was, at least, unnecessary. The changes proposed are so great, and their possible consequences so remote and indeterminable, that the most impartial patriot, it would seem, might well be affected with doubt in regard to them. It is a great revolution—a proposition to overturn not only the practice but, apparently, some of the basis principles of our Government—to abridge what have heretofore been deemed the unquestionable rights of a great class of citizens—to restrict the constitutional power of the President and to establish a life tenure for an army of placemen. All these are said to be essential elements of a system which must be adopted as a whole or not at all. It ought not to be a matter of surprise that any one should hesitate to accept all these startling propositions at once.

Thus far the discussion has been based upon the hypothesis that there are but two alternatives—to continue the present system, with its abuses, or accept the proposed plan, with its undetermined consequences. To doubt that "Civil-Service Reform" means paradisic purity among officials, and perpetual prosperity to the country, has come to be a sort of political heresy. Men sneer at "reform" as impractical, and denounce its promoters as visionary and Pharisaical, and, in return, are themselves written down as "politicians," "bosses," "ring-men" or "henchmen," in the "reformers'" black-list, which is intended to hold them up "to the scorn of all good men of all parties as the instruments of corruption, if not its active promoters." Yet there are men who doubt. There are even some whose doubt has almost grown into skepticism, who but a few years since were very strongly inclined

to the "reform" system of re-organizing the civil service. It is believed by some that the assumption by the "reformers" of corrupt intent on the part of all who do not accept their theories has tended to weaken rather than promote confidence in the system proposed. There are many who admit the defects of the present system, who are neither the recipients nor the distributors of patronage, and have no desire to be; who believe that a party which cannot stand without coercing the will of a single voter, by fraud, violence, or threat, ought not to stand at all; who see little difference between driving a negro from the polls with a "bull-whack" in Louisiana, and driving an office-holder to the polls with a threat in New York—a difference only in the method of doing the same wrong—the difference between a hint and a kick; who believe in principle, in American ideas and a bright future. They are, too, men who are accustomed to display the courage of their own convictions—who doubt, not so much the practicality of the civil-service system of re-organization, but the policy of it. There are men who question its compatibility with American ideas, and who insist that the "reformers" are bound to demonstrate, first, that the dangers of the present system are more hazardous than those which may ultimately flow from the one proposed; and, secondly,—a point which has been very generally overlooked,—that there is no better or less objectionable method of curing the ills of our present system and preserving its advantages. It would seem to be time for the "reformers" to consider whether a man may not be entirely honest, a patriot and a man of sincerity and independence, and yet doubt the policy of the change they propose? Whether such a man may not even regard their system, and its correlative ideas, as in the highest degree dangerous to our institutions and our liberties? Whether, in short, it would not be well for them to discuss this question upon the hypothesis that the average purity of those who question either the practicality or policy of their system, is not somewhere nearly on a level with that of the average "reformer" himself? It is with the hope of promoting this view of the subject that the writer has endeavored to formulate the opinions which such a person might well entertain. They are stated merely as doubts—the doubts of one who admits the evil claimed, seeks a remedy, but questions the efficacy and safety of the one proposed.

The essential elements of the re-formation of the civil service proposed by the "reformers," omitting detail, are:

First. The establishment of a system of rules having the force of laws, which shall govern all appointments and promotions of the minor civil officers of the Government.

Second. Admission to be only to the lowest grade of the service, and obtainable only by distancing other applicants in an open competitive examination.

Third. The higher grades to be filled only from the grades below, and promotion to be only on competitive examination.

Fourth. The tenure to be for life, and removal only for cause.

Fifth. No officer of the civil service to be assessed for the support of any political party, nor be allowed to take part in any caucus or other political organization farther than to cast his own vote.

These are, in effect, the significant provisions of the bill recently presented from the Democratic caucus, and said to have the approval of Mr. Eaton, the chairman of the Civil Service Commission. They make a logical and consistent whole only when supplemented with a provision for retirement and pension —a feature which is not now brought into prominence, but must certainly follow the organization of such a service. It is also admitted, though not beyond doubt, that a corps of officers thus organized might probably do the work of the Government at a somewhat cheaper rate than it would be done without a life tenure. Upon this point it should be observed, however, that the testimony of those departments which have had a corps of clerks engaged in curious estimates as to how much the others have done, the average number of pages written, papers filed, or cases determined, and making flaming estimates of dollars and cents saved to the Government, is by no means conclusive of this question—hardly, indeed, worth considering at all in connection with it. Take, for instance, the Pension or Patent Office. Its proper administration is to be determined less by the number of cases decided than by the justice and accuracy of its decisions. The real cost of such a system can only be determined when it shall have been operated so long that these officials for life begin to fail, retiring pensions to accumulate, and laws to be enacted, as now with regard to the army, to get long-lingering superiors out of the way of aspiring and deserving inferiors.

It is admitted, too, that in England the system on which this is modeled has been successful in giving a cheaper, more intelligent and effective service than the one it superseded. As to

the results of the same system in India, it is hard to speak with certainty. Nearly all of those who regard the Indian service as simply a machine for levying and collecting taxes and performing the routine work of governing a conquered people to the best advantage for the conquerors, are inclined to regard the new system with great favor. Those who regard British rule in India as merely the advance-guard of a civilization which finds its full development only in the elevation, happiness, and prosperity of the governed, are equally unanimous, it appears, in the belief that the civil administrators of British India should be selected quite as much with reference to individual character as with regard to that mathematical accuracy of detail which alone can be measured by competitive examination.

First. The first objection to the adoption of this system by our Government, and that which has been most frequently urged, is the lack of constitutional power to sustain such a system of legislative rules. In the distribution of governmental functions by the Constitution, Congress is given the power to "vest the appointment of such inferior officers as they may think proper in the President alone, in the courts of law, or in the heads of departments." The power of appointment is an act of discretion, and the right to vest that power does not give the right to control its exercise. For the Congress to enact such a law is simply to set up a system which it has no power to enforce. It is farcical. The appeal to a moral power, a public sentiment which shall compel the appointor to recognize this sort of advisory legislation, is all very well, but it is not the sanction on which law rests. A re-formation of the civil service which depends on the whim of a secretary or the caprice of a president is hardly worth the amount of ill-blood already engendered by its discussion. This has been much mooted, but there are probably few lawyers who believe a claim based on such legislation would be upheld by the courts.

Second. The second objection is also one of form—the noting of a defect, perhaps, rather than an objection. Why confine the operation of this system to the "minor" offices of the administration? If we are to have a regular army of office-holders, it hardly seems fair to exclude them from the higher grades of the service. It seems like distinguishing against a most competent class. Except the President's constitutional advisers, what officers are there who should be excluded from this system? What better reason is there for exempting the Collector of the Port

of New York from the operation of these rules than the lowest clerk in his office? If the system is right, why not apply it to every appointive place in the Government except the cabinet?

Third. The next objection is to the principle on which this re-formation is said to be based—the claim that "the business of the Government should be done on business principles"! This is generally interpreted to mean obtaining the most work for the least money. If this is its true significance, it would seem that the jobbing, or contract, system might present decided advantages over it. And, if it is a mere question of dollars and cents, why should it not be adopted? There is no doubt that plenty of men might be found who would take the contract of doing the business, say of the Collector of Internal Revenue, for a much less percentage upon the amount collected than is paid under the present system or would be required by the reformed service. It is very true that no one would listen to a proposition to farm out our national offices in that manner, and yet the argument most used by the reformers would seem to lead to that if logically pursued. If it is mere cheap labor that is required, why not advertise for proposals and give the work to the lowest bidder who could furnish security for complete and faithful performance? If it means that a business man, having this machinery of his own to run, would select this method as the most effectual, is it quite borne out by facts? Would the Rothschilds select their clerks by competitive examination? If these are business principles, what business house has adopted them and thriven under their operation? This objection, be it remembered, is not to the system, but to the argument on which it is rested by its advocates.

Fourth. The next ground of doubt is the proposed exclusion of the civil placeman from active participation in partisan politics. Both in principle and policy this seems radically wrong. What right has the Government to exclude any citizen from the privileges which any other citizen may lawfully exercise? Whence came the power to declare that the officer shall not speak, write, organize, work for the success of his party, as well as any other man? Why shall he not preside in a primary, be a delegate to conventions, or a candidate for elective office? Has the Government a right to emasculate its servants? It is said that under this system the Government opens to him a career, and has a right to his time, attention, and strength.

This is hardly true. The Government has the right to require the placeman to perform specific duties only. The *man*—soul, body, and brain—is a constituent element of the sovereignty of which government is but a shadow. The right to discuss, persuade, lead, if he may, is one of the inseparable incidents of the freeman's right of self-government.

As a matter of policy, it would seem to be equally indefensible. The great mass of the evils which have crept into our political methods have unquestionably sprung from the failure of large numbers of our best citizens to give their actual personal attention to political affairs. Men have been unwilling to take time enough from the seductive pursuit of the dollar to attend primaries, or see to it that worthy men were put forward to represent them. They have been content to do nothing but vote. They have, year after year, remitted the labor, the detail, the organization of parties to those who, for selfish ends, perhaps, could find time to attend to them. To this may be traced the municipal misgovernment which is now so sadly bewailed. It is, by this "reform" system, proposed to add a hundred thousand more political neuters to this army of non-combatants. The civil placeman must always represent more than an average of intelligence. His knowledge of even one branch of the Government should make him a more than ordinarily good citizen and efficient and honest political worker. The Government has just as much right to this power as to his official labor, and would be far more foolish to throw it aside, and so increase the chances of ignorance and incapacity. It is not claimed that the present system always secures this result, but the system proposed claims as a merit that it renders it impossible. It should be remembered that the need of reform is, in this article, admitted; the question it asks is simply: is the re-formation which is proposed, the reform which is needed?

Two analogies are cited in support of this element of the system: (1) The regular army, and (2) the experience of England. Neither, it is believed, meets the objection. The regular army is, at best, an excrescence in a republican government. We have not yet devised any method of doing without it; but the idea, as well as the thing, is reduced to a "skeleton" in our system. It is merely a remedy prepared against possible disease. It has always been the dread of our statesmen, because it is the pet instrument of monarchical authority—a machine whose very perfection of action makes it

dangerous to liberty. It is a necessity which is admitted and—bewailed. Thus far it has been harmless, yet it will not do to make a standing army the model of the civil service of a great republic.

The analogy drawn from England is equally unsatisfactory. That the civil-service reform of Great Britain was a great step forward for that nation has already been conceded. It was a direct assault upon the citadel of class supremacy—a grand movement toward democracy. Its lesson fails of application to our service for many reasons, but chiefly because its real significance was not so much a change of the service as an attack upon other and more dangerous forces. The English service was already organized upon a basis of life tenure, while ours is, normally, a tenure for four years, and though not entirely secure for that period, it is, in a great majority of cases, practically undisturbed. It was not so much the power of removal which was the chief concern in the civil-service struggle in Great Britain, but the right of entrance to the service as a reward of a certain preparation, without regard to family or wealth.

Fifth. This brings us naturally to the next and, perhaps, most serious objection to the system proposed, to wit, the life tenure. As this is the most objectionable, so it is, perhaps, the most important feature of the system. Upon this mainly depend the advantages of its other features. As an economic measure, its chief claim to consideration rests upon the fact that a man can afford to work for less wages when he has a life tenure and a chance of promotion, than when his tenure is brief and uncertain, and promotion doubtful. As an incentive to faithfulness and efficiency, it also depends chiefly upon this element. It is very properly claimed that a man will be likely to attain greater proficiency in his duties if he has the prospect of promotion before him. The objections to this are twofold: (1) That a life tenure naturally and inevitably inclines to formalism, routine, and a blind adherence to established methods. Mr. Eaton declares that such has not been the result thus far in England, and is probably correct. The present English system came into existence as an iconoclast. It owed its life to the defects of the system it superseded. It has not yet gotten over its natural antagonism to all the methods of that system. That the first generation of placemen under the new should greatly improve upon the old system was to be expected. It was simply establishing their own claim of

merit, justifying the system which gave them support. But when this impetus shall have worn away, will they continue to improve their methods? Such does not seem a reasonable conclusion; and history does not encourage us to expect it. Life tenure has been the Gibraltar of that conservatism which counts all that has been sacred, and deems all change sacrilegious.

That a tenure of office, nominally for a term, but really terminable at the mere will of the appointing power, is an evil may well be conceded. That every officer, except the cabinet, appointed by the President or any head of a department, should be entitled to hold his place for a certain definite period, in case of good behavior—which period ought probably to exceed in length the presidential term—is a proposition which has hardly been seriously contested. The power to make it so by simple legislation only has been questioned.

Another objection to a life tenure is that it in effect establishes an office-holding class. It matters not how broad is the field from which its recruits are drawn, no sooner will they have entered the charmed circle of the civil service than they have separated themselves forever from the thoughts, sympathies, and aspirations of their fellow-citizens. They have then become a rank, a grade, a caste. Like the officers of the regular army, they will come very soon to lose that keen interest in the course of government which the citizen should feel. They will come to regard themselves, and be regarded by others, as something better than the ordinary voting herd—representatives of authority before whom the real individual sovereign shrinks into insignificance. In elective offices, the tendency, except in rare instances, has been toward short terms, and it is worthy of careful consideration whether it has not been for the better. Those States which have made most rapid progress toward individual liberty of thought and speech, and which have known a corresponding prosperity, have, with rare exceptions, inclined to short terms for all officers. On the other hand, life tenure and long terms, especially for magistrates and minor officers, were chiefly to be found at the South, and harmonized well with the spirit of slavery. Senator Blaine was unquestionably right when he recently pointed out the fact that the country had escaped great danger by the fact that the presidential term was for four years rather than a longer period.

Again, it is worthy of note that such a system, constantly growing in numbers and exclusiveness, more and more imbued

with that *esprit de corps* to which the "reformer" looks with such high hope, constantly getting farther and farther, in interest and sentiment, from the great body of the people, may, at any moment, become the instrument by which an ambitious usurper may overturn our institutions. We have now a hundred thousand civil officers. Can a nation, which looks with apprehension on a standing army of twenty thousand men, regard with favor a similar organization of far greater power? The prospect now is that this proportion will be greatly increased rather than diminished. It is not improbable that before the century ends it may be doubled. The demand is well-nigh imperative for an increase of force in every department. Should the Government undertake telegraphy and railroading, it would be impossible to estimate the number. To make this service a separate class, having a peculiar and distinct interest in the Government, uniformed and decorated with the marks of rank, may well be regarded as an experiment which might be fraught with great danger.

Sixth. Another frequently urged objection is in regard to the insufficiency of competitive examinations as a test of merit. This no doubt depends very much upon the character of the particular service. As a general rule, the duties of any minor officer may be mastered by a man of fair intelligence in a few days. In others, as in the postal service, experience is required to memorize details. In others still, the work to be performed is discretionary or judicial in its character, as in the Pension and Patent bureaus. In addition to all these there are certain places requiring especial technical skill, as in the case of the Treasury experts who pass upon the validity of notes, bonds, etc., and the type-setters in the Government printing-office. The store-keeper, gauger, or deputy-collector of the Internal Revenue Service may master his whole duty in a brief time, but no possible system of competitive examination can determine his value, since that depends on his activity, skill, and character. He may be the best officer in the service and yet never make a seizure, because his watchfulness may be such as to deter the violators of the law from attempting to operate in his district. In the postal service, examinations may very clearly indicate the capacity of an officer, since it chiefly depends on his ability to make a clean and rapid distribution of miscellaneous matter. In the judicial work of such bureaus as the Pension Office, no possible examination can disclose the value of the clerk. It is not the amount of his work but its character that

determines that question. Beyond a certain point, which, of course, may vary greatly in the different services, competitive examination offers no means of ascertaining the most valuable qualities of the officer or applicant. Literary excellence or scientific attainment is no test of those practical qualities, skill, tact, and character, which give value to a placeman's services. The experience of a few years of business life may be worth in such a place more than the most complete mastery of the university curriculum.

There is no little weight in the theory that change is beneficial and wholesome; it brings an infusion of fresh blood and new life; it puts a swarm of relentless enemies on the trail of the malfeasant; it promotes interest in political affairs. There are always ten men who want place to every one who holds office. It is true an election brings a universal fever—becomes often a scramble for place; but is it not better, with all its ills, than lethargy? These are questions which vitally touch the future of our institutions. They are at least of equal rank with the plea of economy, and entitled to like consideration.

We have not space to discuss the evils of what is termed "patronage," though, in the English sense, it has little place in our politics. No true man or patriot defends incompetency or dishonesty. The patriot who doubts, as well as the "reformer," desires good men and good results.

Those who entertain these doubts generally believe that a short secure term, with a preliminary examination not competitive, graded in its character to meet the requirements of the various ranks and services, and leaving to the appointing power discretion to appoint from any who shall pass the examination required for the specific grade, would more nearly comport with the spirit of our institutions, more probably secure an efficient service, be less likely to establish the reign of routine, and more certainly avoid possible danger, than the re-formation of the service now advocated under the name of "reform."

ALBION W. TOURGEE.

THE THING THAT MIGHT BE.

THE tendency to go about showing other people what might be is widely enough sown by nature. But the mere tendency which exists in us all when young is unequally developed in later life, as individuals vary in observation of what is, power of imagining what might be, and energy of will urging them to replace what is by what might be. As we advance in life, many things occur to check the growth, or kill the germ of this tendency. The two main counteracting forces are: (1) The enlargement of our own knowledge, which discovers to us reasons why things are not better done than they are, which reasons had been before beyond our vision. (2) The discovery that the trade of general improver is one that is apt to make us very odious to our fellows, and that, even if we can show demonstratively that something better could be put in the place of something that is, we had better not say so.

Thus it comes to pass that every ingenuous and intelligent youth is sent into the world by nature with the initial promptings of enterprise and innovation, and that the same youth, by a process equally natural, is found in middle age a stout, conservative, and sturdy champion of the thing that is. Thus there goes on in the social laboratory a constant manufacture of a generation of conservatives out of a generation of liberals; and by this thesis and antithesis of nature the equilibrium of a political community is maintained.

It is not enough to say that the antithesis of the old and the new—the old striving to maintain itself, the new struggling to get a footing—is widely diffused; it is universal. Trace it first throughout human society. Begin within the individual, and in the life of a single man you see the transformation of the ambitious and reforming youth into the stout champion of the creed

of orthodoxy, that "Whatever is, is right." We extend our view to the British nation, and we see its social progress to have been worked out by the shock of two colliding forces,—that which aims at change, and that which resists change. Of these forces, the terms "Liberal" and "Conservative" are very imperfect names. For it is not only in party politics that the conflict of principles occurs; it is met with in every city and municipality throughout the kingdom; it is found in the church and in the family, in all arts and manufactures, and meets us on all occasions in the common business of every-day life.

Now enlarge the horizon, look beyond Great Britain, and see the same conflict of principle developing itself upon a greater scale on the wider area of Europe. It is true the old political factors are still in operation. There exists still the jealousy of hostile races and languages—a jealousy which, in one instance at least, where the pushing Teuton finds himself in contact with a most pushing race,—the Slav,—threatens to override all perception of a common interest in a common civilization. Europe is still divided by the old religious schism into Catholic and Protestant. This dividing element has still great hold on the passions of men, notwithstanding that its foundation is a mere sentiment and does not represent any social or human interest.

These two pairs of opposed forces, Teuton and Slav, Catholic and Protestant, may, at any moment, break into violent conflict, with consequences disastrous to the community of nations. But these conflicts, which have filled so many pages of historical books, are incidental disturbances of the surface only; they form no part of the moral antagonism by which humanity is carried along on the road of civilization. The collision of rival races, and the battle of hostile creeds, are facts of first importance in the eyes of practical statesmen. In the theory of social evolution they are facts of secondary moment. The progress of human society, from the lowest type of animal aggregation toward the most highly organized state which we can conceive, is being conducted all the while by means of the perpetual struggle between what is and what might be. This strife of elements is always going on in the bosom of every society, but, like all the great operations of nature, noiselessly and imperceptibly. In ordinary conditions of society it requires close and minute observation to detect the traces of the conflict. It is only when discontent with what is assumes unusual dimensions that public attention is

arrested by its manifestations, as just now by the agrarian outrages in Ireland, or the Nihilistic frenzy in Russia. For what is Nihilism? It is only an enthusiasm for what might be, vague in point of idea, ecstatic in its passion. Nihilism is an ultra form of rejection of what is, not illuminated by any rational conception of that better thing which should replace it. The Nihilist does not advance beyond the brute desire to destroy. His motto is:

> "Alles was besteht
> Ist werth dass es zu Grunde geht."

The only value of existing institutions is that they offer something for us to pull down. This instinct, thus blindly working its way through burning, wasting, killing, is recognized by the naturalist as the same human instinct which, in more fortunate countries, manifests itself in those inventions and improvements which make life more comfortable and more beautiful. And as, in Russia, the instinct of bettering oneself takes the form of wild and aimless destruction, so the counter-instinct of protection of what is takes the brute form of the stick and the bayonet. The two natural forces—the tendency to the might be, and the persistence in what is—the two forces through whose equilibrium social progress is worked out—are thus exhibited to us in the east of Europe in a form so elementary that most of our political writers are unable to recognize their identity with the two factors which, in the west of Europe, have peacefully built up the complex fabric of our civilization.

I introduced into my last sentence two words denoting two new ideas, to which I am now conducted by the course of my remarks,—the idea of equilibrium, and the idea of progress. For at least five centuries, progress in the western states of Europe has been worked out by the collision and the balance of these two opposite principles—innovation and persistence in the old. It is unnecessary to say that persistence alone could not generate progress. The two things are incompatible. But it is not self-evident that progressive civilization is not the result of a single force, viz., the spirit of improvement. A little reflection, however, will show us that no improvement whatever in art, in science, in government, in manufacture, or in any process of any kind, can be made except by one who is in complete and practical possession of the old method which is to be improved upon.

One of the most radical revolutions on the record of science is that which substituted the Copernican conception of our system for the Ptolemaic conception, according to which the earth was stationary and placed at the center of solar space. This is an extreme case of novelty, inasmuch as the whole of the old idea had to be thrown away, and a new conception, the direct contradictory of the old, had to be taken up in its place. But the new conception could not have been arrived at, and was not in fact reached by Copernicus, without a thorough possession of, and habitual meditation upon, the Ptolemaic hypothesis, and the mathematical tradition of the Greeks.

If we want an example on a great scale, of the attempt to construct the new without building it into the old, we may find a signal one in the history of France. The latter half of the eighteenth century produced in that country a remarkable reaction against authority—against all authority—in science—in morals—in religion—in government. The principle of authority had in the two preceding centuries been strained to the utmost; it had been exaggerated into centralization in the state, into suppression of non-conformity in the church. Against this violent tension of a single principle,—the principle of persistence in what is,—there set in as violent a reaction in the direction of the opposite idea—the thought of what might be. With an understanding too logical to allow for the friction of personal interests, and a temper too impatient to await the natural growths of time, the French dreamed of constitutions framed according to an abstract idea of the state. French encyclopedist philosophy conceived of man as of a being everywhere and at all times one and the same, and it proposed to fit him with one (and the same for all countries) perfect system of natural law, which was to be arrived at not by the cumbrous process of codifying and correcting existing customary law, but which was to be drawn directly from the dictates of right reason. Wielding an authority more absolute than had been possessed by Louis XIV., the French republic endeavored to impose the new ideas in church and state by summary legislation. The history of France for the last hundred years is a comment on the impossibility of superseding the natural agencies of progress by artificial legislation; it is an exhibition, on a vast scale, of the fallacy of imposing by authority the what might be, instead of ingrafting it with scrupulous care upon what is. No form of constitution in France can be

held to be more than a transitory phase; at present there is a republic, with a president, two chambers, and universal male suffrage—but to-morrow! No Frenchman who reflects can look forward with any confidence to to-morrow.

Institutions, like minds, only grow by enlargement and assimilation, not by abrupt change. It has been said of our commerce, by the present premier, that it advances by leaps and bounds. Not so with the progress toward the social ideal. The march of civilization, like the march of nature, is one of imperceptible transformation.

So much on the necessity for the coördination of the two factors of innovation and persistence to bring about progress. Now we turn to the idea of progress itself.

When you pause on this idea of progress, you will find that you have been brought, by following the thread of my argument, —if you have followed it,—face to face with a curious fact in the history of nineteenth-century thought. Fifty years ago,—about 1830,—in the swing of the second French revolution, the belief in progress, both as a fact in the past and a prospect in the future, held undisputed possession of all thinking minds. In 1881, that is no longer the case. It cannot be said that the theory of progress, as the interpretation of history, has entirely disappeared. In the arena of public discussion, the theory of progress still holds a position, but it is not a supreme position; it has a rival or an antagonist in the theory which contemplates our planet, with the life which it carries on its outer crust, as hurrying toward extinction. This new conception, the pessimist conception of human destiny, has by no means reached the same dominion over minds which fifty years ago was held by the optimist conception of progress. Neither of these views is in exclusive occupation of the field of thought. Probably no English thinker of weight would profess himself a disciple of Schopenhauer or von Hartmann. But it is certain that the line of thought, of which von Hartmann's book which bears the title of "Philosophie des Unbewussten" is a delineation, is powerfully influencing all English minds which occupy themselves seriously with political or social subjects. If we cannot say that the most accredited utterances of opinion are deeply tinged with pessimistic views, yet, on the other hand, the triumphant tones of 1830 are no longer heard among us.

None but those who, like myself, can remember the exuberant days of the first Reform bill, and of Lord Brougham, when our

youth was buoyant with hope and expectation, when we all felt as persons assisting at the dawn of a new era, when the phrase "march of mind" was the watch-word of all speakers and writers, —no one, I say, who did not share in this exultation of spirit can realize the change of tone that has come over our utterances. Not only do professed prophets of evil, like Mr. Greg or Mr. Ruskin, obtain a hearing, but no accredited public teacher will venture beyond the modified faith that man's power over the course of things extends so far as to enable him to lessen the evil of the world. This view of human life, a view which lies midway between optimism and pessimism, has been called, I believe by G. H. Lewes, meliorism. It assumes that misery is, on the whole, the lot of mankind, but that the mass of suffering and discomfort at present existing is capable of being indefinitely reduced by human endeavor. Progress, in this view of the situation, consists in a continual encroachment of human effort upon the domain of evil. We now conceive the "what might be," not as a heaven of positive bliss, but as a little more relief from the inevitable pain of being.

According to this conception, which I believe to be the ordinary mold of thought among us at this moment, the earth is a prison with inexorable laws. These laws are inherent in the construction of the universe, and have come into being long before man existed, and have no regard of his welfare. In this prison, conscious life has somehow grown up; society, as we find ourselves born into it, is a chaos, a chance-medley of struggle to wrest, if may be, a tolerable existence from a cruel destiny. But a gleam of light visits us through the prison bars; science has come, and has shown us, not indeed a way of escape from our captivity, nor a mode of transmuting evil into good, but has shown us how, by understanding the laws of nature, we may avoid being crushed by them. We can neither alter nor suspend one single law of nature, but, within very narrow limits, we may regulate the action of some of those which concern us nearly. It is within this margin that human endeavor can find its proper sphere; and it is to this conflict of science with strength, this attempt to control competition by natural selection, that we now confine the idea of progress. The last half-century has taught us to place very narrow limits upon the axiom that knowledge is power; at the same time, by narrowing the application of the truth, it has increased its efficiency.

Examine this idea of progress, thus limited, a little more closely. Progress in a community is brought about by the endeavor of science to control the operation of the natural law of selection by competition. Put into more simple terms, I call it the conflict of the what might be with what is. Science, of course, is to be taken in its widest sense, as meaning the thorough knowledge of any operation whatever, a practical knowledge through the principle. Thus we can all of us, each in his separate province, lend a hand to progress. It is not men of science only, the professional scientists, who can work for progress; every one does so who invents or adopts a better mode of doing that which has been done less well. The progress of the world is the sum total of all the special improvements effected in the separate provinces of human activity. The term progress denotes an idea immensely wide, but therefore hopelessly vague to minds unaccustomed to these speculations. But reduce it to its elements, dissect it, and you will not only understand it at once, but you will see how you—how every one—may lend a helping hand toward pushing it on.

Every improvement, of whatever kind, originates in a combination of two mental states—a desire and a thought. The desire is the desire of welfare. This is an instinct in all conscious life, an ultimate fact beyond which we cannot go. Here we have brought progress back to a first principle in human nature. The other element which goes to make an improvement is a thought. This thought has two parts: (1) The knowledge of an object or an operation as it is. (2) A conception of the same object or operation as it might be. I am urged—every conscious being is urged—by the instinct of welfare, first to discover and then to adopt a better method, if possible, than the method in use. I may note, in passing, that the welfare sought is not always one's own welfare. It is also often the welfare of others. For example: I do not suppose that the brush is as efficient an instrument for clearing a chimney-flue of soot as was the climbing boy, or even as the goose tied by the leg. As a cleanser, therefore, the chimney-sweep's jointed brush was not an improvement. But, inasmuch as one cruel practice was put an end to, there was a gain to society as a whole, when climbing boys were prohibited by law.

As these three mental states—the desire of welfare, the knowledge of the existing method, and the imagining of

another method not yet existing—must concur in every invention, it follows that a failure or a defect in any of the three faculties will occasion a sterility or improvement or discovery. For example: in warmer climates, where artificial heat is not a prime necessity, and mere basking in the sun can satisfy the desire of welfare, the stimulus to thought is wanting; in such countries there is no progress, or what there is is imported from abroad.

The desire of welfare may be enfeebled by other causes besides climate. Particular creeds or traditional beliefs may negative the impulse of nature toward the what might be. A fatalistic creed, such as those of the Moslem or the Calvinist, tends to paralyze inventive thought and exertion. A creed like that of the monastic orders of the Catholic church, which projects happiness into a far-distant future, may make its devotees indifferent to present welfare. In France, one-third of all the children who are at school at all were in schools taught—I should say kept, for the teaching was little enough—by religious fraternities, holding this creed of renunciation of welfare. Can we be surprised that a republic, alive to the interests of the community, should have held it its first duty to deliver its young from the crippling and benumbing influences of such a training?

It is, perhaps, owing to these combined causes,—climate and creed,—that the shores of the Mediterranean, in the present stage of the world's history, contribute nothing to the progress of mankind.

Again, there can be no invention of a new without a thorough apprehension of the old process. Arkwright could not have invented the water-frame or throstle if he had not been familiar with the mechanics of the spindle, its action in giving the required twist to the cotton thread. It is the man who can most deftly and expeditiously use the received method who is most likely to strike out an easier way of doing the same thing. The French are said to finish their machinery to perfection, but they do not invent new machines—they only copy English or American machines. This is to be ascribed to defective knowledge of what is. Their machinery, as shown at the last exhibition, in 1877, was judged by English experts to show an imperfect grasp of the principle on which any given working proceeds.

Turning now to the third element of invention,—the conception of a new and untried ideal,—this may be often absent where there is great dexterity in the use of the old and received

method. No fact in the natural history of the human species is more familiar than this, that, after a certain age, a man ceases to improve upon his methods. The old are averse to new-fangled inventions; do not even recognize them when brought before them. The way in which new inventions are brought into vogue is through their being adopted by the rising generation. Often, the very skill of the workman stands in the way of invention; he is too well pleased with continuing to do what he is conscious of doing well. The good is here the enemy of the better.

What is true of individuals is true also of nations. When a nation has reached a certain stage of industrial development, it seems to stand still, and a younger people takes up the running. This is not exhaustion of energy, but the conservative force of what is. The methods in use have cost so much to set on foot that they exclude the thought of a better that might be. Mr. Turner, a watch-maker, in his report on the Vienna Exhibition, says "a good English watch could be made as cheaply as a good Swiss one, if our watch-makers, men and masters, would lay aside their prejudices against foreign systems and ideas."

The history of all the useful arts is a commentary upon the phenomenon to which I am now asking your attention,—the phenomenon of "the persistence of the idea." There is hardly a branch of industry in which the introduction of an improved method has not been resisted with all the tenacity of vested interests. The story of the spinning-jenny, or power-loom, which the operatives, the press, and the law courts combined to crush, is known to all. Jute fiber, now an indispensable article, was thirty years in fighting its way against the opposition of the manufacturers. Why do our railroads return to their shareholders barely four per cent.? Chiefly, because the combined opposition of many interests to the introduction of the iron way made its original construction extravagant. The English railways have cost on an average £42,000 a mile, while Belgium has her railways for £18,000 a mile, and the United States theirs (many of these, however, single lines) for £10,000. Sometimes the old idea has embodied itself in costly machinery, which the capitalist cannot afford to break up. The alpaca abounded in South America before 1830; but its wool was too brittle to be spun into a thread by the same machine which had been constructed to spin the shorter and stronger fiber of the sheep. Consequently, the worsted mills of the West Riding of Yorkshire were unable to

utilize the new material. It was by a new invention, which enabled him to twist into thread the alpaca fiber, that Sir Titus made in a few years a magnificent fortune, magnificently used.

Again, in machinery it is not always want of conceptive power which prevents new inventions from being brought forth, but the heavy cost of the experiments necessary for the process of invention. Mr. Lister, walking over a silk warehouse in London, was shown rooms full of what is called "silk waste"—short ends of silk thread. "This accumulation," said the proprietor, "is a great trouble to us. We cannot dispose of it; no one will take it away even for manure, for it will not rot." Mr. Lister's mind was set to work by this suggestion, and the result was the discovery of a method of making velvet out of a material which had before been worthless. But the invention cost the inventor the labor of many years, and the outlay of more than a quarter of a million pounds. It is not every inventor who can command capital on such a scale, even though the ultimate returns were certain, and as splendid as those by which Mr. Lister's ingenuity was rewarded.

Any one who chooses to look into the history of the useful arts, not from the point of view of the artist, but regarding it as a part of the history of civilization, will find it full of illustration of the gradual advance of human power in subduing to its uses natural objects and forces. Beginning the helpless savage described by Lucretius, lying on the bare ground, speechless, weaponless, "*indigus omni vitai auxilio*," he has stept from invention to invention, till he has surrounded himself with thousands of conveniences, each one of which is the outcome of centuries of continually applied skill and ingenuity. Looked at from this point of view, the amount of acquired or capitalized skill to which each generation succeeds seems a magnificent inheritance, the mere reading over the inventory of which demands a lifetime. The thing that already is is an Aladdin's palace, room after room of costly fabrics and wondrous devices. But there is another side to this picture. Turn around the thing that is, and its reverse presents the thing that might be. The fairy palace is there no longer, and in its place we see a chaos of half-finished plans, imperfect attempts, ambitious failures. If the thoughts and inventions that have come down to us are many, manifold more are those which have perished by the way. The struggle for existence among living beings is not more keen than is the

struggle between thoughts, and survival is as much the result of accident in the one case as in the other. The prodigious waste of nature in carrying on the succession of animal and vegetable life has its parallel in the conduct of the intellectual world. The actualities of our civilization are already vast, but its unfulfilled possibilities are infinite. I have but to utter the fatal phrase, "sanitary arrangements," to remind you how next to nothing has been yet done to remedy the overgrowing pollution of earth, air, and water by our teeming population. Yet how much talk and thought have been expended in this direction; how many ingenious schemes of sanitation have been propounded! After an enormous outlay on drainage and water-works, the death-rate of Manchester is higher now than it was a century ago. Not everything is known to science, yet how has scientific knowledge outstripped invention in the arts! It requires but an elementary knowledge of numbers to understand the superiority of a decimal system for coinage, weights, and measures, and the French have had such a system for nearly a century. Not even the adherence of Russia and Greece to the old calendar is a more striking instance of stolid persistence in the what is as opposed to the what might be, than our own going on with our penny, the twelfth part of a shilling, with our foot, our yard, and our mile.

The prodigality of Nature in varying her products, though great, is not limitless; but it is far more generous than is civilized man's niggard use of what she places at his disposal. The vegetable fibers on show at the Vienna Exhibition might be numbered by the hundred, but only three of them, flax, jute, and cotton, have come to be adopted in every-day use. In the last half-century scarcely twenty new substances have been added to the raw materials of industry, though scientific discovery has made known to us many hundreds which are so applicable.

I will only adduce one more, and it shall be the last, illustration of the impediments to improvement. This is the difficulty of getting men to combine for those reforms on a great scale which cannot be carried out without concerted action. Where the adoption of a new invention is within the compass of a single person, it can be brought about if he has sufficient perseverance, and sufficient capital, to overcome the passive and active resistance his innovation will provoke. It is otherwise where many men and diverse interests—a parish, a district, or a great city—are concerned.

Illustrations here crowd upon the memory, or, rather, are forced upon the senses, every hour. The most striking are also among the most common. The two or three last summers have made the people of England familiar with a destructive agency which only now and then exerts its force in their climate—I mean, water. The waste of agricultural produce by the overflow of the three rivers of the midland counties, the Trent, the Ouse, and the Thames, cannot be exactly estimated, but it has been very heavy. This is a disaster which recurs whenever a wet summer occurs—a disaster which is certain to recur whenever the rain-fall exceeds a given number of inches in a given number of hours. You will ask, are no precautions taken by the persons likely to suffer, against a calamity the incidence of which, though irregular in period, is certain in time? The answer is, none whatever. There are destroying agents—*e. g.*, the earthquake or the volcano—which are beyond human control; but the flooding of the midland counties by their water-courses is absolutely preventable. A river is nothing more than a channel, or gutter, for carrying down to the sea the collected surface-drainage of a district. The depth and width of such a channel must be proportioned to the maximum volume of water requiring to be carried off. Where the fall is sufficient, this can be done by the simple process of deepening the channel below the surface-level of the ground. Where there is not fall enough, as, for instance, in the Trent, which has a fall of barely one foot per mile, it is necessary to raise dikes or embankments, above the surface, and thus create an artificial aqueduct. The Trent, the Ouse, and the Thames run now exactly as they did in the days of the ancient Britons. We see these floods periodically destroying thousands of acres of meadow, and sweeping away thousands of tons of hay. The capital thus lost in a couple of wet summers would suffice to raise dikes which would prevent such a disaster forever. The riparian owners prefer to wring their hands over their loss, or to invite subscriptions to make it good, rather than combine to prevent its recurrence. There is no central administration in the country strong enough to enforce a measure of the greatest public utility if the most insignificant right of private property stands in the way.

MARK PATTISON.

RELIGION IN SCHOOLS.

THE ill-considered rashness with which the old system of public education was discarded to make way for one new and untried, here or elsewhere, is beginning to torment its victims. Not every change is an improvement. But the spirit of unstableness and change is the spirit of our age and country. In the name of progress, change is demanded in religion and education, as in habits and fashion. Changes in religion have multiplied sects. Some call this a gain. Radical changes in methods of school management leave us to-day without instruction in the simplest truths of Christianity,—without the most elementary code of morals, on a foundation of Christian authority. Moralists esteem this a loss.

So far has the experiment of eliminating religion from even primary schools been pushed, that these have become truly "Christless and Godless." This change is recent. It is only within a few years—within a generation—that the old methods of disciplining the young in morals and religion have been made to yield to the new ones resting on expediency, good manners, and supposed worldly advantage. The beginnings of the change were gradual; within the last ten years advocates of the exclusion of all religious teaching have been loud, urgent, imperative, and successful. The demand to secularize education admits of no question. It is a curious fact, but not the less true, that the American people have been trained down to this low standard by the very ministers who now clamor for a return to the old ways. A hearing on the merits of the question that would not have been conceded yesterday, can be had to-day, because thoughtful men, not ministers or politicians, amazed and disappointed at the first-fruits of the common schools, after years of trial and lavish expenditures of money,

anxiously ponder over and seek light upon the moral and social problem of the future of our children in cities and towns. These fair-minded men ask, and, by the necessities of the hour, they are justified in asking, Can a republic, of all forms of government, endure, whose children, for generations, are educated in schools without religion, without God?

To understand the character and extent of the change which has come over our system of schools, and to show the moorings from which it has broken loose, and the rock on which it has stranded, it is worth while to examine the early history of the establishment of public schools in the State of New York. What is true of this State is, in some degree, true of all the States. The founders of the public-school system were men strongly imbued with religious ideas, and profound reverence for God's law, as they found and understood it in the Bible. State constitutions assumed that the people were Christians, and that their children should be educated as Christians. Virtue, morality, and religion were claimed as essential to the existence of a republican form of government. So long as the American people remained evangelically Protestant in church forms and belief, public schools were conducted as schools biblically Protestant. A large infusion of religious teaching and influence pervaded them. And thus the parents, the children, the teachers, and the public officials were in accord, and the virtue and morality contemplated by the State constitutions, and deemed in the highest degree essential to the bringing up of law-abiding citizens, were secured.

The first free school not in connection with a church society was founded in New York City in 1805. Its trustees issued an address, from which the following words are taken: "It is proposed, also, to establish, on the first day of the week, a school called a Sunday-school, more particularly for such children as, from peculiar circumstances, are unable to attend on the other days of the week. In this, as in the common school, it will be a primary object, without observing the peculiar forms of any religious society, to inculcate the sublime truths of religion and morality contained in the Holy Scriptures." After several years of work, its trustees, of whom De Witt Clinton was president, published an address to the parents of the children in attendance on this school, in which this paragraph is found: "The trustees of the New York free school, however desirous they may be to

promote the improvement of the scholars in school learning, to qualify and fit them for the common duties of life, cannot view with an eye of indifference the more primary object of an education calculated to form habits of virtue and industry, and to inculcate the general principles of Christianity," etc. When this Free School Society was, in 1825, merged in the Public School Society, the same leading idea of a morality based on Scriptural teachings was continued. In pursuing this course, the managers were in harmony with popular sentiment and the religious views of the vast majority of their patrons. Indeed, the non-Catholic church schools ceased to be necessary, and were for the most part abandoned. The new schools were satisfactory to non-Catholic religionists, whose prejudices, however, were so intense and blinding that they failed to understand why Catholics were unwilling to accept what pleased them.

The ideas prevailing in Massachusetts, Connecticut, Vermont, New Hampshire, and New York, on the subject of the training and education of the young, found their way into the constitutions and school statutes of the new States of the West. The Bill of Rights of Ohio is a fair sample of all. Its third section reads: "Religion, morality, and knowledge being essentially necessary to good government and the happiness of mankind, schools and the means of instruction shall forever be encouraged by legislative provision not inconsistent with the rights of conscience." This was not intended to be a fine phrase with which to adorn the statute-book. It meant that religion and morality should be imparted to children in State schools hour by hour, with instruction in all branches of needful secular knowledge, by teachers of correct morals and Christian belief. It was furthermore strictly enjoined that great care should be used in the selection of Christian teachers.

In thus prescribing a plan for the management of schools, these early evangelical Christians, and the political States whose constitutions and statutes they molded and shaped, showed remarkable harmony with the prescriptions of the Catholic Church on the same subject. It is an incontrovertible fact that the founders of the American Republic believed that religion could not with safety be divorced from secular education, and of necessity ordained that the tone, ideas, and practices familiar to parents in churches should be conserved in the schools to which they intrusted their children.

In consonance with the same idea, the Catholic Church holds that the religion which is good for parents in the church ought to be good for their children in the school, and in what is known as the Syllabus, expresses her mind on this subject. She condemns as an error the following proposition: "Catholics may approve of a plan of education withdrawn from Catholic faith and the authority of the Church, and which concerns itself only with natural sciences, and the worldly ends of social life, solely, or, at least, primarily." Just as evangelical Protestants hold that religious knowledge should accompany secular learning in schools for evangelical children, so Catholics claim, in full accord with the Syllabus, that Catholic children should be indoctrinated in the teachings of the Bible by teachers of the same faith as their fathers; and, furthermore, since virtue, to become habitual, needs practice and daily use, they claim that their children should be made familiar with the observances and duties ordained by Christ, and always preserved and enforced in the Catholic Church.

That the truth and wisdom of the Syllabus are appreciated by non-Catholics, may be learned from what follows.

In 1869, the Rt. Rev. A. Cleveland Coxe published "Moral Reforms," a book made up of pastoral letters addressed at various times to members of his church. In instructing his communicants, he seems to catch the very spirit of the Syllabus, and thus gives three rules for their spiritual guidance:

"1. Secure to every human being the very best education you can provide for him.

"2. When you can do no better, utilize the common schools, and supplement them by all additional means of doing good.

"3. But where we can do better, let us do our full duty to our own children, and to all children, by gathering them into schools and colleges thoroughly Christian."

In thus explicitly laying down the law, Bishop Coxe interprets correctly the mind of the Protestant Episcopal denomination. In a General Convention held in New York City, the following resolution was adopted: "*Resolved*, That the bishops and clergy be most earnestly requested to bring this subject to the attention of the members of this Church, that they remind the people of their duty to support our own schools and colleges, and to make education under the auspices of the Protestant Episcopal Church

superior in all respects to that which is afforded in other institutions."

The Presbyterians, in General Assembly, "recommend their congregations to establish primary and other schools, on the plan of teaching the truths and duties of our holy religion in connection with the useful branches of secular learning." In the same sense, all classes of evangelical religionists speak out from time to time. Now it is the Congregationalists in the "Advance," of Chicago; then it is the editor of the "Methodist," the chief organ of the Methodists. The latter, in an editorial, says: "Again, a firm and genial Christian tone pervading a school, by warming the heart, stimulating conscience, and strengthening and bracing up all the better elements of one's nature, is eminently calculated to predispose the pupil to faith as well as to virtue." But of all denominations, the Baptists have put themselves on record as most decidedly opposed to schools from which religious teaching and influences have been excluded. It is certainly gratifying to Catholics to know that Protestants, in reality, agree with them regarding the necessity of religious teachings and observances in children's schools, even if they do not live up to their belief. Many of the secular newspapers reëcho the language of the pulpit. Notable among them is the "Journal of Commerce," of New York City.

But after such strong expressions on the part of State legislatures in the past, and on the part of conventions and assemblies to-day, what are the rights of religion in State schools, in the year of the Lord 1881? New York State has made as great progress in the eliminating of every shade and semblance of religious instruction and usages from its common schools as any other State in the Union. The ruling of its department of public instruction is precise and peremptory. Mr. Randall, in making known decisions of his predecessors in the office of superintendent of public schools, uses this language: "In view of the above facts, the position was early, distinctly, and almost universally taken by our statesmen, legislators, and prominent friends of education,—men of the warmest religious zeal, and belonging to every sect,—that religious education must be banished from the public schools, and consigned to the family and the church. . . . We have seen that even prayer—that morning and evening duty which man owes to his Creator, . . . has been decided by two of our most eminent superintendents as inadmis-

sible as a school exercise within school hours, and that no pupil's conscience or inclination shall be violated by being compelled to listen to it." When Bishop Coxe asks that the Bible shall not be excluded from State schools, it is evident he is not aware of these rulings of competent authority.

The above is the law for the State of New York. The city has a special law by which the reading of the Bible is retained in its schools. In many State schools the Bible is still read, in a very perfunctory way, it is true, but any dissentient has only to demand its exclusion to be gratified, for under the above law the Bible has no place in a State school. The custom adopted in some schools, of keeping young children, not criminals, shivering on the cold side of a door while Bible-reading is going on within the school-room, or the substitute gravely suggested by a high dignitary, of inflicting on the helpless innocents "the listening to the reading of State constitutions and sundry municipal laws," may be commendable for nicety of persecution, and as a refinement on past methods, but is out of place in America. The clauses in the constitutions guaranteeing civil and religious liberty would elicit curious comments from the young martyrs, freezing and tortured for conscience' sake. The American people will not tolerate unnecessary mental suffering of children because their elders cannot agree on a system of schools adapted to the moral and intellectual needs of all classes. It is not the children's fault that American Christians are divided into numberless sects, "working out into manifold abuses, rivalries, and even conflicts."

It has been shown what is the teaching of the Catholic Church with regard to the exclusion of religion from schools; it has also been demonstrated by the utterances of the highest authority in several Protestant denominations, how great is the agreement between them and Catholics. It is proper now to note how these two bodies accept the decision of political authorities by which every tittle of religious instruction is excluded from school-rooms. When Catholics proposed a compromise with evangelical Christians by which equal rights might be secured to all without the sacrifice of an inestimable blessing, a majority of their non-Catholic fellow-citizens confronted them with angry looks and fierce determination to listen to no reasonable remonstrance, even, but to enforce unrelentingly the establishment of free schools all over the State, in which

neither prayer nor the Bible should be tolerated. The uselessness of contending against an overpowering majority, not in the best humor, on a question that had found its way into the arena of politics, was soon apparent. With sadness of soul they gave up the attempt to arrange with their fellow-citizens a system of schools, that, securing universal education, might do so without sacrificing essential principles, and without disregarding most sacred rights of parents and children. Between Catholics on one side and evangelicals on the other, infidels, agnostics, secularists, and Jews stepped in and captured the field.

To Catholics it became clear that if they meant to transmit the faith of their baptism to their offspring, if they believed that Christ's religion was worth living for, if they held that God should not be driven out of the school-house, and that the virtue, morality, and religion essential to a republican form of government were to be perpetuated, they would have to establish a system of schools for their own children, under their control, and at their cost. The outlook, from a temporal point of view, was forbidding, and, except to men of the martyr spirit, without a ray of hope along the horizon. Crowds of poor immigrants flocking to our shores for shelter from oppression and the miseries of the Old World, intent on finding a patch of ground and a roof as a home, had no treasures to offer for the erection of educational buildings. And, even if the buildings were up and ready for occupancy, whence should come the army of skilled instructors, with God and the love of God's little ones in their hearts, to undertake, on a sudden, the training of these thousands of the poor of Christ? But, the time for words and discussion having passed, that for action and work had come. As the cause was God's, Catholics put their trust in Him.

Abandoning all hope of help from their fellow-citizens, Catholics are now providing satisfactory schooling for their children all over the country. What Bishop Coxe and the Convention of Protestant Episcopal Bishops entreat their followers to procure for the children of their church members, has been placed within the reach of the poorest member of the Catholic Church. The irreligious and secular world will judge religionists by their deeds, rather than by resolutions and rhetorical speeches at conventions. In some sections of the country, in Massachusetts, for example, Catholics have held back from establish-

ing Catholic schools in the hope that their neighbors, the majority, would listen to reason and agree upon a plan by which all classes of citizens might be secured in their rights. These hopeful people are losing hope. The ministers and the politicians will not permit the people to exercise their common sense and act in accordance with their natural impulses of justice and fair play.

To understand the amount of educational work accomplished by the Catholics of the United States, a few statistics will be useful. According to "Sadlier's Directory" for 1881, there were in Christian free schools, of a grade corresponding with the common or State schools, 423,383 children, whose education in State schools would have required $6,164,456.16, computing the cost at the average per scholar estimated by the Commissioner of Education for 1878,—a large annual saving in favor of non-Catholic tax-payers. New York State had 270 Christian free schools, attended by 80,429 pupils.

In New York City there are fifty-seven Catholic churches under the care of resident pastors. Of these parishes thirty-two have Christian free schools. Special reports for 1880 have been received from twenty-three of these parishes. They had an average attendance of 21,550 scholars. The great majority of the teachers were brothers and sisters of different religious orders. The amount paid for tuition alone was $100,928.16; for books, $8,638.93; for janitors, $8,397.00; for sundry expenses, coal, repairs, etc., $27,147.50. The estimated value of these twenty-three school-buildings, including ground and furniture, is placed at $1,501,300.00, omitting the cost of residences for teachers. As tax-payers in New York City pay for tuition at the rate of $20.30 for each child in its grammar and primary schools, they are saved $437,465.00 annually by these twenty-three Christian free schools. In a few years the parishes whose school-buildings are insufficient to receive all children whose spiritual care is on the conscience of the pastor, will have erected larger ones; and the other parishes not yet provided with these necessary school-churches for children, because of heavy indebtedness incurred in erecting expensive churches for parents, and because in some neighborhoods fine music is held of more account than the care of the young, will also have joined their sister parishes in a noble rivalry to work with whole-heartedness, as the Syllabus and the Church

teach, in gathering into Christian schools, from which the great thought of the life to come is not excluded, all the children of the flock. Priest and people who do not believe as the Church teaches have lost the faith. Priests and people who fail to live up to their faith because of heavy sacrifices to be made are unworthy of membership in a Church that demands of her disciples heroic sacrifices to preserve the faith. It is then only a question of time when there will be ample school room in every Catholic parish of New York City for all children having a right to a Christian education.

As the above figures refer to schools in the great metropolis, others, relating to a much smaller city and in the rural districts, may be of interest. In Rochester there are eleven parishes, ten of which have Christian schools. In these there was, in 1880, an average attendance of 4391 scholars. To teachers the amount paid was $14,152.39. As it cost the tax-payers of Rochester, in 1879, $117,387.57 to pay teachers for 8017 children, or at the rate of $14.64 per scholar, simple arithmetic tells us that the 4391 scholars in Christian free schools saved non-Catholic tax-payers $64,284.24 for teachers, not to speak of additional expenses for buildings, coal, repairs, etc. Catholic school-houses in Rochester are valued at $250,000. It is a costly price to pay for religion's sake, but it is well worth this, and more.

We turn now to our non-Catholic friends, believers in Christianity, and ask, What have you done for the religious and moral education of your young? It is well known that educational establishments for the wealthier members of your flocks, in which religious and secular education are combined, are worthy of all praise, and bespeak the zeal of ministers and the liberality of laymen; but what have you accomplished for the poor children of your denomination, in view of the utter failure of the public schools? How have your congregations responded to the admonitions and entreaties of the General Assembly and the Protestant Episcopal Convention?

The weakest suggestion of a reform is the demand to replace the Bible in the public schools. The uselessness of the Bible as a mere reading-book was demonstrated long ago. As a teacher of morals and religion, it needed the living voice of a competent instructor to explain its meaning and enforce its authority and precepts, thus turning the school into a church. As a sign of antagonism to Catholics, it has ceased to play a part, for Catho-

lics are no longer there to note the intended insult, or to heed the fumbling and crumpling of its pages by irreverent scholars. Bible-reading that teaches no dogma to children's minds is like trying to feed their bodies with dry husks. Theology without dogma may be adapted to the "Church of the Future," of which the agnostics are preparing to be the high-priests, but it is now an unknown quantity.

It is profound reverence for the Bible which induces Catholics to object to it in schools as an ordinary reading-book. Yet more do they object to its use in the hearing of their children when the teacher is one whose sympathies and belief are opposed to their faith. The school-master may never speak a word adverse to Catholic doctrine, and yet exercise a pernicious influence over the minds and hearts of Catholic children. The power of personality in the teacher is strongly placed before his hearers by the Rev. Dr. Hall, Presbyterian minister in New York City. In a Sunday sermon, he says: "You cannot detach absolutely the person of the teacher from the thing taught. One may ask, What can religion have to do with algebra? Now, if you could get teaching without personal influence, that might be true. But you cannot," etc. Earnest and devout Christians see that much of the growing contempt for the Sacred Scriptures is due to unwise and indiscriminate reading by young school-children, whose attention is called to passages suggestive of evil by perverted companions, or to its cold, hesitating, half-hearted, mechanical reading by skeptical masters. Personal influence is often more active and seductive on the play-ground than in the school-room. Catholics desire the exclusion of the Bible and of religion from schools to which, for the time being, they are compelled to send their children, in default of schools of their own. They grieve to see the exultation of secularists and infidels over the easy victory evangelicals have permitted them to win. The secularists, not Catholics, wave aloft the banner of triumph.

It will require a stronger argument than imputed lack of patriotism on the part of Catholics to re-introduce the Bible into the public schools, such as is offered by Bishop Coxe. This stale and decrepit calumny raises a blush on the cheeks of some, and flashes fire from the eyes of others. It may do for the hustings on voting day, but it is unworthy of attention from serious and just men, who know the historical record of Catholics on every battle-field from 1776 to 1865.

Such a cruel innuendo could be thrown out only by one who wrote of "Romanists": "Their arithmetic is wonderful, and their moral theology concerning oaths allows the widest exercise of imagination in making out returns and reports."* The writer of this sentence would be barred as a juror in any court of Christendom, were this question on trial. The country is full of American Catholic citizens who smile at inane distinctions in their membership, kindly suggested by non-Catholic friends. These Catholics, so loyal and so true, may fearlessly challenge comparison with their maligners in all that proves devotedness and fidelity to the country and the constitution.

The taunt that when Catholics become the majority they will not tolerate others, may be relegated to the same category of popular claptrap good for electioneering times, but not to be flung out when men are seriously discussing how best to secure the stability of our common country. Should Catholics at any time, and in any part of the country, grow to be the majority, they will take delight in placing the minority on a footing of equality with themselves, even as the French Canadians, forty years ago, being then a large majority of the inhabitants of Lower Canada, settled this question of schools, in its moral and religious aspect, by conceding to the Protestant minority every privilege and claim asked for. It is an unfortunate suggestion to offer that to keep Catholics from practicing intolerance toward a Protestant minority, it is advisable for a Protestant majority to be intolerant toward a Catholic minority.

The belief is growing day by day that the public schools, as now constituted, are failures. Richard Grant White cries aloud only what is in many minds. It is distressing to be obliged to admit that the idol of our national worship is a false god; that education in earthly things, solely or primarily, does not make good citizens; that unbounded expenditures of money bring no adequate return; that the very principle of State pupilage is radically defective, and worse, is highly dangerous, fostering, as it does, the most cankerous social and political evil of the age—Communism. It demands renewed efforts on the part of teachers and superintendents, paid officials of the schools, to keep the people from seeing these truths.

When the people of New York State were cajoled into the free-school system, with its denial of parental control, the prom-

* "Moral Reforms," by A. Cleveland Coxe.

ise was held out to the anxious tax-payers that increased taxation for schools would be followed by lessened taxation for almshouses, prisons, and lunatic asylums. The former will cost less, so said partisans of the new system. Has the promise been kept? Our educated rogues are shrewder, and escape with greater facility from the meshes and restraints of the law, but our houses of correction are multiplying out of all proportion to increase of population; and lunatic asylums, State and county, cannot keep pace in number and accommodation with the demand made on them by victims of shattered brains and morals. The increase of crimes, not alone of crimes which send their perpetrators to jail, but of crimes which destroy the fountain of life, and the startlingly progressive multiplication of divorces destroying all hope of Christian families, the prop and mainstay of a republic, alarm ministers and laymen, and justify the verdict of "Failure." Schools that won sympathy on the plea of providing a plain education for plain people have spread out into high schools, academies, colleges, and universities. Normal schools give a professional training to young men and women who, for the most part, have no thought of following a teacher's career, for the compensation usually given is not commensurate with their expectations. Notwithstanding unlimited expenditures of public money, complaint is heard that instruction in the elementary branches of learning falls short of what the people have a right to expect, and "Failure" is written again.

But when in large cities, such as New York and Rochester, a third of the children turn from the open door of the public school, on conscientious grounds, and seek schooling in other buildings, put up and paid for by citizens the least able to open their slim purses to a second tax-gathering, it becomes a duty to proclaim the existing system a "failure," and a cruel wrong. The "failure" is the more evident when separate schools are needed for colored children, banned for the accident of color. It is yet more marked when the system requires poor schools, under the Children's Aid Society, to make room for those who suffer from the misfortune of poverty. But when a system of free schools, that seventy-five years ago began an assault on private and church schools for the alleged reason that there were some few children uncared for, and monopolized the teacher's work and profession by the power of the general treasury, to-day has to admit that there are adrift and untaught in the streets of one city from ten to twenty

thousand children of the very class in whose behalf State charity finds its justification, acknowledgment of "failure" becomes more than a necessity.

By way of help to a return to correct principles and methods, some truths are here indicated:

First. We forgot American traditions when religion was driven out of the schools.

Second. We forgot them when the State was allowed to step in between the father and his child.

Third. We forgot them when we imported European ideas of paternal government, and began the breeding of communistic social heresies.

Fourth. No nation, not Christian in belief and morals, can flourish in our civilization.

Fifth. Virtue and morality, to become a habit of life, need the teaching and disciplining of the school, as well as of the church and family.

Sixth. Knowledge does not lessen vice. Will and conscience, helped by God's law and grace, restrain passions and evil inclinations.

Seventh. Since the State has no religion, and cannot teach morals on the authority of Divine truth, its incapacity to educate is beyond doubt.

The sooner we return to sound principles, the same on which the founders of the Republic built and prospered, the easier will it be to repair the mischief of the last few years, and the greater and more reasonable will be the hope of the stability of our institutions. If our people were one in religious belief and worship, the question of schools would present no difficulty. The only obstacle to a just and righteous settlement is the unwillingness of the majority to concede to the minority rights that are heaven-born, that are the very life of a republican form of government, and that guard and uphold the consciences of every class in the community.

B. J. McQuaid.

THE OWNERSHIP OF RAILROAD PROPERTY.

THERE might be some doubt whether private corporations really own their own property, if it were necessary to accept certain doctrines recently promulgated. But as constitutional law, in this country, has or ought to have a stable foundation, it is proper to assume that there are some things which are conclusively settled. Among these is the principle that an act of incorporation is a contract between the State which grants it and the corporation which it creates, and that this contract is under the protection of the Federal Constitution. This principle cannot be eliminated from our constitutional law by anything short of an erasure from that constitution of the clause which declares that no State shall pass any law impairing the obligation of contracts. But while it has not yet been proposed to alter the constitution in this respect, there has of late been manifested a strong disposition to devise means of evading its application to the chartered powers of railroad corporations created by the States. Within the past ten years, cases have reached the Supreme Court of the United States in which that tribunal has been called upon to determine what contract between a State and a railroad corporation actually existed. This brought into view certain powers of revision or alteration of charters, which have been expressly reserved in the charter itself, or in the State Constitution under which it was granted, or in previous statutory enactments of a general character, which became, either by express reference or by fair implication, a part of the contract. To rescue the points calling for decision in the so-called "Granger cases," and judicially determined in them, from their apparent connection with a certain doctrine promulgated at the same term in the case of Munn *vs.* Illinois, is what every reader has to do,

who is concerned to know what has and what has not been judicially determined on the subject of legislative control over the rates of freight charges by railroad corporations.

Before making this discrimination, it is important to note the strength with which the principle has been asserted, that a State legislature may, by contract with a private corporation, bind itself not to exercise over the property of that corporation a power which otherwise belongs unquestionably to the State over all private property. It is now conclusively settled that where the State Constitution does not expressly restrain the legislature from so dealing with the taxing power, and there is a stipulation in the charter of a railroad corporation which clearly and unequivocally imports that the State will not tax the corporate property, effect must be given to the contract the same as if it were a contract between private persons, without regard to its supposed injurious effect upon the public interests.* When it is considered that the taxing power is one of the most transcendently important of all the powers of a State, it would seem that if the legislature can make a binding contract with a private corporation in restraint of *that* power, it may, *a fortiori*, make an irrevocable contract that the corporation shall fix its own rates of charges for services which it renders to the public. The latter is a power which it is of far less consequence that the State should hold under its own control than it is that it should hold and exercise the taxing power. But while it has not yet been seriously denied that the State may, by contract, vest in a private corporation an irrevocable power to make its own bargains with individuals for the services which it renders, the manner in which the five railroad cases were disposed of by the Supreme Court, in 1876–7, has led to the assumption that there is a doctrine respecting the use of private property the employment of which affects the public at large, which will in some way act as a source of legislative power, aside from the stipulations or contracts embraced in a charter of incorporation, either by displacing or modifying them. This was a very new doctrine respecting the use of private property, which was much elaborated by Mr. Chief Justice Waite, in delivering the opinion of a majority of the court in the case of Munn *vs.* Illinois. It is important, therefore, to know what that case was.

* Wilmington Railroad *vs.* Reid, 13 Wallace's R. 264. New Jersey *vs.* Yard, 5 Otto's R. 104.

It related to certain private establishments in the city of Chicago, known as grain-elevators, or warehouses for the storage of grain in bulk, belonging to different owners, and deliverable, not specifically, but in quantity, upon receipted certificates. The party whose case came before the Supreme Court had carried on this private business for many years on his own premises, before the year 1870. In that year, an amended constitution of the State declared all such establishments to be public warehouses, and subjected them to regulation by the legislature. In 1871, the legislature passed a law requiring the owners of these establishments to take out licenses as public warehousemen, and fixing their rates of charge for the storage of grain. The constitutional validity of this statute was contested, not upon the ground of contract between the State and the owner of the grain-elevator,—for there was no such element in the case,—but upon the ground that the law was repugnant to the Fourteenth Amendment of the Federal Constitution, because it deprived the owner of his property "without due process of law." Now this, be it observed, was the exercise of an exceptional, direct, special will of the sovereign people of the State, acting through a constitutional provision which clothed a certain private property with a public use, that never could have affected it without such an act of the sovereign will. Whether that sovereign will of the State could or could not so affect private property, notwithstanding the prohibition of the Fourteenth Amendment of the Federal Constitution, it is clear that nothing short of the will of the sovereign could clothe a private property, used in a legitimate private business, with a public use, or a public interest, which would authorize the legislature to regulate the rates of charge for that use. Yet, from the doctrine elaborately set forth in the opinion of the Chief Justice, for the purpose of vindicating the reasonableness and propriety of this exercise of the sovereign power of the State against the objection that it violated the Fourteenth Amendment of the Federal Constitution, it would seem that the case was decided upon the principle that there arises a species of dedication by the owner to a public use, in every case where private property is used in an employment that affects the public at large. If the majority of the court had said that in this particular employment the constitution of the State had, by a special act of the sovereign will, clothed the property with a public use, and that this act of the sovereignty

of the State was not inconsistent with the Fourteenth Amendment, whatever constitutional lawyers might have thought of the decision, or however strong might have been the expectation of a different result from the most exalted tribunal in the land, it would have rested where it ought to rest. But when, aside from the special exercise of the sovereign will of the State, a doctrine of dedication by the owner was resorted to, by which, it is said, all private property becomes clothed with a public interest when its use affects the community generally, it is apparent that a source of legislative power was introduced which does not rest upon a special exercise of the sovereign will in a particular case, but which may be resorted to without being specifically created by the State Constitution and expressly conferred upon the legislature. The following are the terms in which this sweeping doctrine was laid down by the learned Chief Justice:

"Property does become clothed with a public interest when used in a manner to make it of public consequence and affect the community at large. When, therefore, one devotes his property to a use in which the public has an interest, he, in effect, grants to the public an interest in that use, and must submit to be controlled by the public for the common good, to the extent of the interest he has thus created. He may withdraw his grant by discontinuing the use; but, so long as he maintains the use, he must submit to the control."*

The decision of the five railroad cases, commonly called "the Granger cases," followed immediately after the decision in Munn *vs.* Illinois. In the first of them, the Chief Justice, speaking for the same majority, said, in a prefatory passage of his opinion:

"Railroad companies are carriers for hire. They are incorporated as such, and given extraordinary powers, in order that they may the better serve the public in that capacity. They are therefore engaged in a public employment affecting the public interest, and, under the decision in Munn *vs.* Illinois, subject to legislative control as to their rates of fare and freight, unless protected by their charters."†

In the other cases, the doctrine of the owner's presumed dedication to public use appears to have been regarded as the source of the legislative power, notwithstanding the fact that

* Munn *vs.* Illinois, 4 Otto's R. 113, 126.

† Chicago, Burlington, and Quincy Railroad Company *vs.* Iowa, 4 Otto's R. 155, 161.

the question in each case related to the scope of the reserved power to alter or amend a charter.* These were all decisions by a majority of the judges; two of the members of the court, Mr. Justice Field and Mr. Justice Strong, dissenting throughout, as well in the grain-elevator case as in the railroad cases.

The meaning of these rulings is apparently this: That in a case where the charter of a railroad corporation does not expressly contain a contract that the corporation shall alone regulate its own charges, the doctrine of implied dedication of the property to public use, by reason of the nature of the employment, comes in as the source of a legislative power to regulate the charges for the use of the property, without any constitutional creation and delegation of such a power. But here it may be remarked that if such a dedication by the owner is to be presumed, it must enter into and qualify any grant which the charter contains of a power in the corporation to fix its own charges. But aside from this consequence, it will appear to any one who closely examines the point with which the court were confronted in the railroad cases, that the decision called for, and the only decision that can, in a judicial sense, be predicated of them, was whether there was or was not, in each case, a contract between the State and a corporation of its own creation, under which contract the corporation was or was not subject to legislative interference with its rates of charge. If an express and irrevocable contract existed, it determined the case in favor of the corporation. If no such express contract existed, the legislature, if it could interfere at all, could do so, not by reason of any dedication of the property to public use by the owner, but by reason of such power over the corporation as the legislature had reserved when it granted the charter. If there was no reserved power, or if the reserved power did not rightfully comprehend a right to regulate the charges for the use of the property, the contract between the State and the corporation, which vested in the latter the power to fix its own rates, was complete and irrevocable. These were the questions, and the only ones, that could be judicially decided in the five railroad cases. There was not one of them in which the State Constitution had expressly clothed the private property of railroad corporations

* Peik *vs.* Chicago, etc., Railway Company, 4 Otto's R. 164, 176, 178. Winona and St. Peter Railroad Company *vs.* Blake, Ibid. 180.

with a public use; and the doctrine that all private property is clothed with a public use by the owner's presumed dedication, where that use affects the public generally, could not judicially influence the decision, unless it was intended to be understood that this doctrine displaces or modifies the contract between the State and the corporation. As a substantive source of legislative authority, this doctrine could not judicially affect the decision of the railroad cases for two reasons: first, because it had no constitutional basis, such as existed in the grain-elevator case, and secondly, because the court, in the railroad cases, were called upon to determine the true scope and limitation of the reserved power to alter or amend a charter. This was not done; and consequently it remains for final judicial determination, whether the general reservation of a power to alter or amend the charter of a corporation comprehends a power to fix the rates that may be charged for the use of the property of such corporation.

The kind of corporation, or the kind of property which it holds and uses, or the degree, more or less, with which that use affects the community generally, can never determine the scope of the general power of amending or altering charters which the State has reserved, either by its constitution or its laws. The idea that the owner of private property grants to the public a right to dictate the terms on which it may be used, because he devotes it to an employment that affects the public more or less, would subject all private property in any branch of business to such an interference; for there is no use of private property in any business that does not in some way affect the public generally. Such a power over private property as was exercised by the people of Illinois in respect of the grain-elevators—monstrous and tyrannical I cannot help considering it—could be exercised by none of our State legislatures without an express constitutional provision. None of them hold any common law powers over private property, and they hold no other powers over it excepting those which are conferred by the constitutions from which they derive all their powers. They hold and exercise the taxing power, the power of eminent domain, and the police power; and by each of these private property and its uses may be affected. But unless a State Constitution expressly creates and confers on the legislature a power to impress a public use upon private property, such a power can find no foundation in the doctrine that the owner has presumably dedicated it to

public use, because he employs it in a business that affects the public.

When we turn from the private property of individuals to the property of private corporations organized for business purposes, we must not overlook the fact that all such corporations are the creations of a contract between the State and the incorporators. All the powers, privileges, rights, and franchises which the corporation holds, are brought into being by a grant made by the State, and that grant is a contract. It is not so with the corporate property. That is private. The power and authority which the State holds over the corporation is that for which it has contracted. It may be a power to repeal the grant of incorporation, wholly or partially; or to modify the charter; or to make rules and regulations for the conduct of the business; or to forfeit the franchise altogether, for sufficient cause. All this depends upon what the State has reserved a power to do, by express stipulation in the charter, or in the laws which enter into and make a part of the contract. Of all this, too, the incorporators have had notice; and they have accepted the grant with a full understanding of its terms. But it may be safely asserted that no body of men in this country ever asked for or accepted an act of incorporation for business purposes, and invested their money in the enterprise, with an implied understanding that they dedicated the corporate property to a public use, or clothed it with a public interest, by using it in a business which affects the community at large. What they did agree to was this: That their property should be subject to such legislative control as the contract embraces; to the exercise of the taxing power, if not specially restrained by the charter; and to the exercise of the police power of the State, and the power of eminent domain. Beyond these sources of power, namely, the contract, the police power, the right of eminent domain, and the taxing power, I know of no legislative authority over the property of private corporations. That the corporation has been chartered because the public convenience would be promoted by its existence, and has been authorized to acquire land by an exercise of the right of eminent domain, paying therefor a just compensation, can authorize no legislative control over the price that may be charged for the use of its property, unless that control has been in some way reserved to the State by the contract. The public benefit that is to be derived from the incorporation and invest-

ment of private capital in a railroad, is the consideration on which all the corporate privileges are granted; and that consideration, passing to and accepted by the public as a full compensation for the grant, has spent all its force as soon as the grant has been executed. It cannot be made the foundation of a subsequent legislative control over the property that is to affect its management, its value to the owner, or the owner's dominion over it.

It now remains for me to state, as briefly as I can within the limits of this article, what I conceive to be the true relation between a railroad corporation and the State which has chartered it, and the true limitation of the general reserved power to alter or amend a charter of incorporation, whether such reservation is made in the charter itself, in the constitution under which it was granted, or in standing laws which may be said to form a part of the contract.

In the first place, in what sense is a railroad, chartered by a State and built from private funds, a public highway? In this sense and no other:—that it has been authorized by the State to be constructed, that it has been intrusted with the power of eminent domain in order to enable it to be located and constructed, and that, when constructed, the public at large have the right to avail themselves of its means of transportation of their persons or property, on compliance with the conditions prescribed by the proper authority. The proper authority to prescribe those conditions, when they are only pecuniary, is the owner of the property, the private corporation by whose private means the road has been built; for the ownership of the property of private corporations is as absolute as the ownership of a private individual in the property belonging to him. Furthermore, it must be remembered that a railroad is not like a turnpike, or a public highway, on which tolls are exacted for the privilege of passing over the way; but it is a private corporation, which renders the service of transporting persons or property, and of receiving and delivering persons or property, at its own expense and risk. In other words, the railroad is a common carrier of persons and goods, by means of its own property, at its own expense and risk. So far, therefore, as there is an element of publicity in the character of the corporation and its business, it is in all respects the same as in the case of other common carriers. All common carriers must transact business for all applicants, at reasonable

times, and for a reasonable compensation. A railroad corporation, which carries on the business of a common carrier, at its own expense and risk, and for its own profit, is in the same situation as any other common carrier; and whether the carrier transacts his business over a road which he owns, or over one which the public has built and dedicated to common use, or on the waters of a navigable river, his duties, liabilities, and rights are the same.

This being the sense in which the business is public, and in which the railroad is a public highway,—a sense which does not at all diminish the private ownership, or the control which all private owners may exercise over their own property, unless such control has been in some way expressly curtailed,—the question arises whether a legislative act to regulate the rates of fare and freight, after the grant of a charter authorizing the company to determine its own rates, falls within the reserved power to alter or amend a charter of incorporation, which is found in general terms in many of our State constitutions? Is this an unlimited power? It has been considered heretofore, by very high authorities, that the nature of the act by which a legislature undertakes to alter or amend a charter of incorporation, imposes, or may impose, some restraint upon this general power. It is certain that charters are to be amended or altered by an exercise of what is properly to be regarded as legislative power. Is it, then, an act of legislative power to prescribe for the future what prices may be demanded for commodities or personal services? Is it within the power of any legislature in this country to compel owners of property, whether they are natural or artificial persons, to part with their property, or render their personal services, at their own expense and risk, to the public for prices fixed by the legislature? To me it seems to be very plain that this is not the exercise of legislative power; that it is a mere arbitrary decree, not authorized by a general reservation of power to alter or amend charters, and incapable of being legitimately exercised, unless the State has expressly required the grantees of a charter to accept it on the condition that the legislature may determine the rates which the corporation is to charge for its services. Doubtless such a power can be brought within the field of legislation by the express terms of a charter, because such is the contract. But where there is nothing but a general reservation of a power to alter

or amend a charter, I do not see how such an exercise of power can be said to be within the reservation.*

I have seen it suggested that, under the power to alter, amend, or repeal a charter, it is perhaps possible for a legislature to change, in some cases, or, in other cases, to destroy, contracts between the State itself and the corporation, entered into in the charter. But, without conceding this, it is to be remembered that these are not the only contracts authorized by an act of incorporation. Every railroad corporation must enter into contracts with creditors, who will lend their money to construct and equip the road, and who will take a mortgage security therefor. Such contracts have been made, under the authority of their charters, by nearly every railroad corporation in this country. It has heretofore been held, many times, by the Supreme Court of the United States, that any law of a State which seriously diminishes the property, or the security, or the remedy, that was relied upon by the creditors of a corporation, when they lent their money, or gave their credit, impairs the obligation of their contracts.

Is it, then, a sufficient answer to this to say that such creditors were bound, when they lent their money and took their mortgage security, to know one or both of two things:—either that the State held a reserved power to alter or amend charters, or that it held a general legislative power to treat all private property, the employment of which affects the public generally, as subject to regulation of the price that may be demanded for its use? If it is said that it is the general power of altering or amending a charter of which the creditors were bound to take notice, it is unquestionably true that they must be presumed to have known of its existence; but it remains, nevertheless, a most serious question what this power includes. The creditors certainly were not bound to know, and could not reasonably anticipate, when they lent their money and took their mortgage security, that this reserved power of the State included a power to diminish, at the pleasure of the legislature, the fund out of

* In the two last preceding paragraphs, I have availed myself of the reasoning which I find in a manuscript opinion of the late Hon. Benjamin R. Curtis, of which I possess a copy. It was given in the year 1874, upon the clause in the constitution of Wisconsin which reserved to the legislature a power to alter or repeal all general and special laws. After examining the authorities cited by him, I can see no answer to his positions.

which their interest, and ultimately their principal, were to be paid. No rational person can suppose that money was ever lent to a railroad corporation upon the understanding that the State had reserved such an unlimited and discretionary power over that fund. And, in regard to the doctrine that the creditors knew, or were bound to know, when they lent their money, that all private property in the United States, the employment of which affects the community generally, is subject to a discretionary power of legislative interference with the rates that may be charged for its use, who, before the year 1877, ever heard in this country that the owner of private property grants to the public an interest in its use because it is desirable, or convenient, or beneficial for the public generally to avail themselves of the right to use it, at the expense and risk of the owner? Again, I ask, which of these two sources of power—the reserved authority to alter or amend a charter, or the owner's presumed dedication of his property to public use—is the governmental power that existed before the creditors of our railroad corporations took the contracts authorized by the charters, and is therefore to be regarded as an implied part of those contracts? It is scarcely necessary to point out that either of these sources of power, if it existed at all before the contracts of creditors, is limited by nothing but legislative discretion; and that it is a power to deprive the creditors of all beneficial interest in the income upon which they relied when they loaned their money. No doubt they trusted a good deal to legislative discretion, but I am unable to see that they trusted this.

The limits of this article do not admit of further discussion of this great subject. My present purpose has been simply to show that its further judicial consideration is imperatively called for; and that the present state of the adjudications does not preclude a reëxamination of some of the doctrines that appear to have received the sanction of a majority of the highest tribunal, but from which it is impossible to extract, in a judicial sense, all that has been claimed by the advocates for legislative interference with the contracts of railroad corporations.

GEORGE TICKNOR CURTIS.

THE HISTORIC GENESIS OF PROTESTANTISM.

In the year 1609 one of the most atrocious crimes of which history preserves the record was perpetrated by the Spanish government. The Moriscoes, or Christianized descendants of the conquered Moors, had long been objects of suspicion and hatred to the Spaniards, and especially to the Spanish clergy. During the sixteenth century they had been so cruelly treated that in 1568 they had risen in rebellion among the mountains of Granada, and it had taken three years of obstinate fighting to bring them to terms. Their defeat was so crushing that it was no longer possible to regard them as politically dangerous, but their orthodoxy was strongly suspected, inasmuch as the grandparents of the present generation had been converted to Christianity only by brute force. In 1602 the Archbishop of Valencia proposed that all the Moriscoes in the kingdom, with the exception of children under seven years of age, should be forthwith driven into exile, that the nation might no longer be polluted by the slightest suspicion of unbelief. The Archbishop of Toledo, primate of Spain, heartily agreed with his reverend brother, save as far as concerned the little children, whom he thought should be included in the general banishment. To Bleda, the famous Dominican, even these measures seemed insufficient, and he argued that all the Moriscoes in Spain—men, women, and children even to the new-born babe—should be ruthlessly murdered, "because it was impossible to tell which of them were Christians at heart, and it was enough to leave the matter to God, who knew his own, and who would reward in the next world those who were really Catholics." The views of the Archbishop of Toledo finally prevailed, and in 1609, as Mr. Buckle puts it, "about one million of the most industrious inhabitants of Spain were hunted out like beasts, because the sincerity of their

religious opinions was doubtful." Their deportation to Morocco was attended by characteristic barbarities. The number of those massacred on the way seems to have exceeded the number of the victims of Saint Bartholomew; while of those who reached Africa thousands were enslaved by Mohammedan Moors, or slain by robbers, or starved in the desert.

Now, these Moriscoes, thus driven from the land by ecclesiastical bigotry, were the most skillful laborers Spain possessed. By their expulsion the manufacture of silk and paper was destroyed, the cultivation of sugar, rice, and cotton came to an end, the wool-trade stopped, and irrigation of the soil was discontinued. The disturbance of industry, and the consequent distress, were so great and so far-reaching that by the end of the seventeenth century the population of Madrid had decreased by one-half, and that of Seville by three-quarters; whole villages were deserted, large portions of the arable land went out of cultivation, and brigandage gained a foot-hold which it has ever since kept. In short, the economic ruin of Spain may be said to date from the expulsion of the Moriscoes: after nearly three hundred years the country has not yet recovered from the disastrous effects of that unparalleled crime and blunder.

Yet this atrocious deed was done with the unanimous approval of the Spanish people. Even the gentle-hearted and high-minded Cervantes applauded it, while Davila characterized it as the most glorious event in all Spanish history. Nay, even in recent times, the eminent historian Lafuente, while recognizing the terrible economic results of the measure, maintains that it was, nevertheless, productive of immense benefit by securing the "religious unity" of the whole people. Here we have the true Spanish idea—or, to speak more accurately, the true ecclesiastical idea, which, through an unfortunate combination of circumstances, has always dominated the Spaniards more completely than any other European people, but which has wrought mischief enough in other countries than Spain. To insure absolute "religious unity," to insure that from the Pyrenees to Gibraltar all people should think exactly alike about questions which are confessedly unfathomable by the human mind,—this seemed to the Spaniard an end of such supreme importance as to justify the destruction of two hundred thousand lives, and the overthrow of some of the chief industries of the kingdom. The annals of persecution in other countries serve

but to point the same moral. Measured by the quantity of suffering it has entailed, as well as by the wholesale disregard of moral rectitude it has involved, the history of the attempt to enforce "religious unity" is, no doubt, the blackest of all the black chapters in the awful career of mankind upon the earth.

Yet, no doubt, the object for which all this agony has been inflicted, and all this villainy perpetrated, is an utterly worthless object, when considered with reference to the conditions of life in a civilized society. Not only is it not desirable that all the members of the community should hold the same opinions about religious matters, but it is far better that they should not all hold the same opinions. To the Frenchman's sneer about the English, who have twenty religions and only one sauce, I should answer: By all means let us have twenty religions, even if we can have but one sauce. In comparison with the inscrutable realities which religion postulates, our most elaborate attempts at theology are so feeble that it is not likely that any given set of opinions can represent more than the tiniest segment of the truth:

> "Our little systems have their day,
> They have their day and cease to be.
> They are but broken lights of Thee,
> And Thou, O Lord, art more than they."

In view of this weakness of reason, when confronted with the mighty problems of religion, it behooves each one of us to greet his neighbor's opinions as, perhaps, containing a glimpse of truth which his own have lacked; not to scoff or frown at them as "different" from his own. If "religious unity" is ever to have any value, it can only be when it is reached as the outcome of the free, untrammeled working of countless individual minds. Until it is reached in this way, "religious unity" can mean nothing but "intellectual torpidity where religious questions are concerned;" and, meanwhile, diversity of opinion is the best guarantee we can have that a healthy intellectual activity is going on.

In the present article, however, I propose to examine the desire to enforce "religious unity" by the light of the comparative method; let us see if there has not existed a state of society in which it may have been desirable that all the members of the community should think alike, on religious as well as on other subjects.

Toward the close of my article on "The Philosophy of Persecution,"* I called attention to the intense feeling of *corporate responsibility* which pervaded all the life of ancient society, and which, no doubt, goes farther than anything else toward explaining the genesis of persecution. To understand the origin and meaning of this notion of corporate responsibility, we must carry our thoughts back to that primitive state of society when there are no political aggregates more extensive than the *clan*, or, at any rate, than the *tribe*, formed by the coalescence of kindred clans. In this lowest stage of human progress, blood-relationship furnishes the only possible bond by which any concert of action among men can be secured. The ideas of right and duty, in so far as recognized at all by the dim intelligence of nascent humanity, are recognized only within the limits of ascertainable blood-relationship. The comparative study of institutions, among civilized people and among savages, has established beyond doubt that this was the social condition of mankind at the beginning of its distinctively human career. I have myself shown that the very same coöperating processes which originated the family, originated, also, those intellectual and moral differences by which humanity was first raised above the common level of apehood.† Had the infancy of man been completed within a period of three or four months, as is the case with other mammals, man would never have become human: there would have been no social aggregation, and there could not have been originated that long-enduring process of intellectual and moral development, which was rendered possible only through social aggregation, and which went on so far during prehistoric times as to raise the human brain to nearly twice the dimensions of the brain of the highest ape. But the prolonging of the period of helpless infancy brought with it the genesis of the *family*, and thus inaugurated the first enduring principle of concerted action among human beings.

By simple expansion, the family grew into the *clan*, and by expansion and coalescence small groups of clans grew into the *tribe;* and throughout these earliest stages of social organization the principle of concerted action remains the same that was first inaugurated by the genesis of the family. In the tribal stage the ideas of right and wrong are recognized, but their application is

* North American Review, Jan., 1881.

† "Outlines of Cosmic Philosophy," Part II., chaps. xxi., xxii.

strictly determined by the necessities of the tribe. Right actions are those which help, or are supposed to help, the tribe in its perpetual struggle for existence with surrounding tribes; wrong actions are those which hurt, or are supposed to hurt, the tribe's chances of success. It is wrong to murder a fellow-tribesman, though human sacrifices or female infanticide may be sanctioned from motives of general policy; it is praiseworthy to murder a stranger, unless perhaps when he belongs to some powerful tribe which it is imprudent to offend. Above all things, the prime social and political necessity is social cohesion within the tribal limits, for unless such social cohesion be maintained, the very existence of the tribe is likely to be extinguished in bloodshed. Such was doubtless in general the state of things which lasted for more than a thousand centuries, during which men lived and died upon the earth before they had acquired enough intelligence or enough political stability to leave anywhere a written record of their thoughts and deeds. Four or five thousand generations of ruthless military discipline! four or five thousand generations of rigorous conformity to tribal requirements, enforced under the perpetual threat of tribal extinction! Such was the terrible schooling that was needed to fit men for aggregation into great and complex societies. Included in this military discipline, as part and parcel of it, was an incipient ecclesiastical discipline. Long before the dawn of history, ancestor-worship had begun. The ghosts of dead chieftains, in this primitive philosophy, survived as the tutelar deities of the tribe, ready now, as of old in their life-time, to punish misdemeanors, but clothed with a power all the more vast and awful, as its nature and limits were but vaguely and incoherently imagined. To offend in any particular against the ethical and ceremonial code established from time immemorial under the pressure of tribal necessities, would be to invite the vengeance of the tutelar deities. The offender must be curtailed of his liberty, or maimed, or killed, or else by an easy inference the fellow-tribesmen would be liable to be held as participators in the offense, and this calamity might befall the whole tribe. Tempest or famine or pestilence or defeat in battle might be expected by the tribe which should fail to punish an offense on the part of one of its members against the tutelar deities. This feeling of corporate responsibility is always to be found among tribally organized barbarians; it existed among our own barbarian ancestors; examples of it are numerous in Græco-

Roman antiquity; and there can be no doubt that in primitive society the feeling was universally prevalent and ferociously intense withal, since no other human passion is so cruel as fear, and no other kind of fear is so cruel as the vague dread of the supernatural. And obviously there is no kind of conduct which would so surely awaken the dread of supernatural vengeance as any neglect of the time-honored rites due to the tutelar deities, or any expression of opinion, whether serious or flippant, which might be interpreted as derogatory to their awful dignity.

The feeling of corporate responsibility, therefore, grew out of the necessities of that primeval society in which the highest known order of political organization was the tribe, and in which neighboring tribes were perpetually at war with each other. Under such circumstances, those tribes in which the feeling of corporate responsibility was most intense must in general have shown the highest capacity for coherent organization, and must have subjugated or extinguished those tribes in which the feeling was more feebly developed. The feeling must have grown by natural selection until it became, as it were, part and parcel of the mental constitution of mankind. No wonder that we find the feeling so strongly developed among the highly cultured Greeks and Romans and Jews. A feeling so deeply rooted in men's ancestral experiences must needs survive long after the establishment of social conditions totally different from the conditions which implanted it. If we wish for evidence that this sense of corporate responsibility has lain at the bottom of a great part of the persecution which has made ecclesiastical history so abominable, we may find it, ready to hand, in the tale of wickedness with which I began the present discussion. One of the arguments for the banishment of the Moriscoes, upon which the Archbishop of Valencia mainly relied, was the argument that the whole Spanish people were in the sight of Heaven responsible for the doubtful orthodoxy of these converts from Islam. "He declared that the Armada, which Philip II. sent against England in 1588, had been destroyed because God would not allow even that pious enterprise to succeed while those who undertook it left heretics undisturbed at home. For the same reason, the late expedition to Algiers had failed; it being evidently the will of Heaven that nothing should prosper while Spain was inhabited by apostates."* This argument, which produced a powerful

* Buckle, Vol. II., p. 47.

effect upon both king and people, was conceived precisely in the spirit of the primeval savage. And so when Mary Tudor, being afflicted with dropsy, supposed that she was about to give birth to a prince who should exclude from the succession the heretical Elizabeth, when the *Te Deum* was sung in St. Paul's, and vessels on the Thames fired salutes, and merry bells were set ringing in all the churches, and still the expected prince did not make his appearance; when, after the keen disappointment, the queen began to reason with herself, "she could not doubt that her hopes had been at one time well founded; but for some fault, some error in herself, God had delayed the fulfillment of His promise. And what could that crime be? The accursed thing was still in the realm. She had been raised up, like the judges in Israel, for the extermination of God's enemies; and she had smitten but a few here and there, when, like the evil spirits, their name was legion."* As the practical result of these pious meditations, some fifty Protestants were forthwith burned at the stake. Obviously, Mary's reasoning, like that of the Spanish archbishop, had no validity or significance whatever, except as it appealed to that terrible sense of corporate responsibility which they had inherited as a tradition from prehistoric times.

Now, although the feeling of corporate responsibility for opinions was still so powerful as recently as the sixteenth and seventeenth centuries, although plentiful traces of it may still be found at the present day, nevertheless the state of things by which the feeling was logically justified has long since passed away. And it has passed away, no doubt, never to return. It began to pass away so soon as men began to become organized into great nations, covering a vast extent of territory, and secured by their concentrated military strength against the gravest dangers of barbaric attack. In European history, the first conspicuous approach to this new state of things was made by the tremendous conquests of Rome. For a period of five centuries after the overthrow of Carthage and Macedonia, the Roman government held together a greater number of men of different races, tongues, and faiths than had ever before been so long held together since the world began; and, throughout the vast territory over which it held sway, it succeeded in maintaining a state of peace which, imperfect and fitful as it seems

* Froude, "History of England," VI., 330.

from the point of view which we moderns have reached, still presented a striking contrast to the perpetual and universal warfare of primitive peoples. Under this condition of things, the old ideas and feelings began to be modified in many ways. The passage from ancient to modern ideas of social obligation can be largely traced in the wonderfully suggestive history of the Roman jurisprudence. In the early ages of the Republic we find the legal existence of the individual well-nigh merged in that of his family, and we find his duties and obligations defined entirely by the *status* in which he is born. But, by the time of the great codification which went on under the Empire, we find the legal existence of the individual distinctly acknowledged, and his duties and obligations largely determined by *contract*, as is the case in modern society. Manifestly, the relations sustained by the individual toward so great a whole as the Empire could not be like the relations sustained by the individual toward so small a whole as the tribe. Through the sheer breaking up of tribal ideas of obligation which the Empire everywhere effected, the ideas of individual obligation characteristic of modern society began to emerge into the foreground. The most fundamental and far-reaching effect of Roman conquest was the decomposition of primitive ideas, political and social, legal and religious. The world of separate tribes and separate cities, each with its peculiar laws, and each with its local deities and rites, came to an end, and was replaced by an organized European world, with its Roman law, based on ethical principles, acknowledged by vast masses of men, and with its Christian religion, based on the assertion of the universal brotherhood of men and the universal fatherhood of God.

As in the Roman law, so also in Christianity, the innumerable new relations into which men were thrown resulted in a great deal of abstraction and generalization concerning the scope of men's rights and duties. In the one case as in the other, the liberation of the individual from the old tribal bonds was effected by the process which brought him into immediate relations with a state possessing a dominion that was practically universal, and with Deity regarded as eternally ruling the whole created world. The individual salvation of each human being, as dependent upon his spiritual attitude toward his heavenly Father, is an idea distinctly present in Christianity as first enunciated, and in the prominence assumed by this grand idea the old notion of tribal

allegiance to a tutelar deity fades entirely out of sight. The idea that salvation is to be attained through conformity to a certain prescribed set of opinions or of ritual observances, or through obedience to a certain ordained priesthood, finds no support whatever in the teachings of Jesus as reported in the Gospels. So far from lending support to this primitive idea of religious obligation, Gospel Christianity is in itself a most emphatic protest against it; and it was through this wholesale discarding of primitive ideas that Christianity secured from the outset an element of permanence such as no other scheme of religion has ever possessed. Miraculous legend, impressive ceremonial, priestly devotion, doctrines awful or consoling,—these things have at times been potent influences in maintaining the sway of Christianity over the human mind; but the potency of such influences as these is limited in extent and in duration,—it is dependent upon transient states of society and transient phases of opinion. The permanent element in Christianity—the feature whereby it may still claim the allegiance of modern thinkers who reject the supernatural theology and the symbolic ritual—is the fact of its placing the conditions of salvation, not in doctrine or in ceremonial, but in right conduct as flowing from the impulse toward a higher life in which religion most essentially consists. Not they that say unto me, "Lord, Lord," but they that do the will of our Father in heaven,—such was the first authoritative definition of the aspect of human life with which Christianity primarily concerns itself.

Thus, Christianity in its earliest form may be regarded as a kind of Protestantism, in which old heathen ideas of conformity to tribal requirements as to doctrine and ritual were utterly discarded, and in which religion was presented as something which concerns the individual alone in the presence of the infinite God. But so lofty a conception as this could not be realized so long as Christianity had to make its way as a militant force among peoples who were still largely under the influence of primeval ideas of corporate responsibility for opinion. Already, in their struggle with the pagan society of the Empire, the preachers of the new ideas found it necessary to become organized as a "church militant," and to have certain recognized dogmas, or—to use the old and expressive term—*symbols*, as a sort of banner around which to rally their adherents. This militant character of the early church explains the persistency with which all gnostic or rationalizing interpre-

tations of sacred mysteries were condemned and set aside; they were liable to the charge of offering some possible ground of compromise with pagan philosophic ideas. The most rigid and uncompromising symbol—the one which involved the most complete self-surrender to the interests of the common struggle—was the one which worked the best; and hence there lay a certain sort of rude, practical logic beneath the much-derided phrase, *Credo quia absurdum.** To rationalize the new dogma of the Trinity was in itself to make a quasi-concession to the Neo-Platonists; and herein was reason enough why the Athanasian interpretation should supplant the Arian. An organized priesthood was necessary, too, in order to preserve the liberty of the Church at a time when the political structure of society was such that there was no other available check upon the autocratic power of the emperors. In its attitude as a "church militant," therefore, Christianity was compelled to enforce conformity to dogma, and obedience to priestly authority; and in doing these things, the feeling, still rife among men to which it appealed, was the old feeling of corporate responsibility for opinion.

The old feeling, thus strongly appealed to at a time when its basis in the conditions of primeval society had been destroyed, received still stronger reënforcement when the Church took upon itself the tremendous task—to which the political forces of the Empire were no longer competent—of civilizing the barbaric world. From the time of Ulfilas to the time of Anschar there were five centuries of militancy, during which all the power of the spiritual as well as of the secular arm was taxed to the utmost in the work of making the Teutonic barbarians adopt the results of Græco-Roman civilization. In warfare of this sort, the Church could do nothing less than appeal to the only available religious conceptions with which the past experience of its converts had made them familiar. As in the political system of these ages of transition between ancient and modern civilization we observe a partial and temporary retrogression toward a pre-Roman tribal and local polity,—as exemplified in some of the aspects of feudalism,—so too in religious conceptions we may observe a partial and temporary renascence of primitive pagan ideas. To say that the Church adopted many pagan symbols is only

* This point is well brought out in the Rev. J. H. Allen's excellent little book, "Fragments of Christian History."

to say that the great men who shaped its missionary policy talked to their pagan converts in the language which they were best capable of understanding. The Church thus adopted the doctrine of corporate responsibility for opinion, very much as it adopted Yule-tide and Easter feasts, and the worship, under a scriptural name, of the Berecynthian Mother. The outcome of all this was that in the process of Christianizing the pagan world Christianity itself became more or less deeply paganized. Hence those terrible persecutions, of Albigensian and other heretics, which marked the epoch of the Church's greatest supremacy, and which no one thought of justifying from the teachings of Jesus, but only from Old Testament texts expressing the crude, primitive notions of the Jews in their semi-barbarous period.

But now, after the Teutonic and Slavic barbarians had become pretty nearly all converted; after Europe had come to feel itself reasonably secure against being overrun by Saracens or Mongols; after the principal European kingdoms had arrived at something like political stability; after the Crusades had shaken up men's ideas by bringing the civilizations of the East and West in contact with each other; and after the partly paganized Church had begun to put forth such pretensions as, if successful, would have converted Europe into a caliphate, and would thus have inflicted upon it the doom of stagnation like that which has overtaken the Mohammedan world; after this state of things had been reached, in the course of the thirteenth century, then symptoms of dissent began to manifest themselves,—vague murmurs, which heralded the great Protestant storm that was gathering. It was in the thirteenth century that the Church thought it necessary to desecrate the noble enthusiasm which had inspired the Crusades, by employing it to crush out heresy with fire and sword in the southern parts of France,—thus beginning that detestable scheme of robbing the French nation of its nimblest minds and strongest characters, which was continued in scenes like the St. Bartholomew, and was consummated in the infamous *dragonnades* of 1685. It was in the thirteenth century, too, that the Spanish mind hit upon that ingenious device of the Inquisition, whereby all speculative originality was to be effectually extinguished in so-called "acts-of-faith," to the proper performance of which an abundant supply of fire-wood was the principal requisite. These new developments of the persecuting spirit show how formidable the spirit of dissent was

then becoming. This spirit of dissent, both at that time and in later days, was fond of assuming the form of a protest against the pagan corruptions of the Church, and in behalf of a return to the simplicity of organization, of doctrine, and of ritual, and to the purity of life, which characterized the Christianity of the apostolic age. This common element is discernible alike in the Bogomilians of the East, and in the Albigensians, Hussites, and Lollards of the West; and in the Puritanism of later times it is conspicuous. The majestic revolt of Luther—an event which did more for true religion than anything which had happened in the world since the days of Jesus and Paul—can in nowise be likened to the innumerable schisms which have divided the Church on special points of doctrine, organization, and ritual. Its scope and importance were far greater than any of these, important as many of these have been. It took issue with the fundamental assumption upon which the Church had come, by slow degrees, to take its stand—the assumption of corporate responsibility for opinion and ceremonial. Its denial, though not explicit in every instance, was nevertheless couched in such wise as to cover implicitly the whole ground upon which the Church assumed the right to interfere with individual freedom. The protest of Luther, when its logical implications are unfolded, involves the assertion of the right of each individual to decide for himself what theological doctrines he can or can not accept, what ecclesiastical observances he shall or shall not adopt, and generally in what way he is to worship God. It has, indeed, required three centuries of discussion, since Luther's time, to unfold all the logical implications of Protestantism. The theory of life which it contained was too lofty to be thoroughly and consistently understood, even by those who first conceived it distinctly enough to be willing to fight for it; and most Protestant churches have practically retained fragments here and there of the old Romanist and quasi-pagan assumption of corporate responsibility. The struggle of the Protestant world, however, has, in the main, been a struggle in behalf of the principle of individual responsibility, and in general the most energetic Protestants have been found on the side of absolute freedom in politics, which always means absolute freedom in religion sooner or later. It was the intensely Protestant Puritans who overthrew the last attempts at tyranny on the part of English kings, both in England and in America.

It would not be correct, therefore, to describe Protestantism —any more than it would be correct to describe Christianity—as a system of doctrines. To point to any particular doctrines held in common by all Protestants would be as difficult as to point to any particular doctrines held in common by all Christians. Viewed in the light of its own historic genesis, Protestantism may be described as that kind of religious polity which is based upon the conception of individual responsibility for opinion. The antagonist conception—of corporate responsibility for opinion—had its origin and justification in the military necessities of primeval society, when there were no political aggregates larger than the tribe. With the aggregation of men into great, complex, and stable political aggregates,—in other words, with the passing away of the circumstances by which the notion of corporate responsibility was historically justified,—the notion began to lose its hold upon men's minds. As men in the ordinary affairs of life began to proceed upon the notion of individual responsibility, they began to apply the same principle to religious matters; and great religious teachers began to protest against the various implications of the primeval notion. Such a protest was implicitly made by the Founder of Christianity, who insisted upon the importance of conduct and the worthlessness of ceremonial and formula; and fifteen centuries later, after Europe had emerged from a life-and-death struggle with barbarism, in which primitive notions had been partially revived and the Church had become partially paganized, a similar protest, in the name of Christ, was explicitly made by Martin Luther.

JOHN FISKE.

THE TELEGRAPH MONOPOLY.

In the brief space of thirty years, the telegraphs of the world have grown to nearly half a million miles of line, and more than a million miles of wire,—or a length equal to forty circuits of the earth. The number of messages now annually sent can scarcely be computed. Every country in the world that possesses even the elements of civilization has experienced the benefits of the telegraph, to a greater or less extent. China, however, still refuses to permit the establishment of an inland system,—there being as yet but twenty-four miles of line within that empire. All other governments of the world have extensive lines, and are continually enlarging the facilities for telegraphic communication. Of all countries, our own has the greatest length of lines and wire, and sends the greatest number of messages. At the close of the year 1880, there were in the United States 170,103 miles of line, and during that year 33,155,991 messages were sent. The miles of wire were about 300,000. This does not include the lines used exclusively for railroad business. The other countries having the greatest length of lines are as follows: Russia, 56,170 miles; Germany, 41,431; France, 36,970; Austria-Hungary, 30,403; Australia, 26,842; Great Britain, 23,156; British India, 18,209; Turkey, 17,085; and Italy, 15,864.* In the principal governments of the world, except the United States, the telegraph is a part of the postal system; but in this country private corporations construct and control all telegraph lines. The Western Union Telegraph Company, however, has absorbed other companies, until at this time it has the whole telegraphic system of the United States in its exclusive control, with a few unimportant exceptions. The growth of the Western Union

* See "American Almanac," 1881, page 42.

Company presents one of the most remarkable instances on record of the grasping power of corporations. In 1856, it began its corporate career under its present name, with the sanction of the legislature of New York, its authorized capital being half a million dollars, only three-fourths of which had been issued at that time. It has grown step by step, until its capital stock, since the recent consolidation, has reached the sum of $80,000,000. Capital stock is presumed to represent the amount of money expended in the building up of the property of the company; but such a presumption would do violence to all the facts in the history of the Western Union Company. The issuing of scrip or stock dividends has constituted one of the chief features of its corporate management. Scrip dividends have been declared to the amount of over four hundred per cent. of its capital at one time. A careful examination of the history of the company will show that, prior to the recent consolidation, of a capital stock nominally amounting to $41,000,000, over $26,000,000 was the product of scrip dividends: the remainder, $15,000,000, represents the money actually invested.

From 1856 to the present time, the Western Union Company has absorbed more than sixty different telegraph companies,— the last and greatest of its feats in the absorption of rival lines having just been accomplished. It has now purchased the property and franchises of the American Union and the Atlantic and Pacific Companies. The consideration paid embraced another enormous issue of watered stock. New issues of Western Union stock to the amount of $15,000,000 were paid to the American Union Company, and $8,400,000 to the Atlantic and Pacific; while scrip dividends, amounting to over $15,000,000, were paid to the holders of Western Union stock, representing what the company is pleased to denominate the amount of earnings which it has invested in construction and purchase of other lines since 1866, but which is more properly called "pure water." The actual cost of the plant of the American Union Company cannot have exceeded $6,000,000; and fifty cents on the dollar of the nominal capital of the Atlantic and Pacific Company would be a very liberal estimate of the actual cost of its property. Hence, we have in the issue of $39,000,000 of additional stock in the purchase of the two companies named, at least $28,000,000 of watered stock,

making the whole amount of watered stock in the nominal capital of $80,000,000 in the consolidated corporation nearly $55,000,000, and leaving only $25,000,000 to represent the actual capital invested. While the consolidated companies may have cost $25,000,000 for construction, yet it is believed by those best informed that their entire property can be reproduced with new material for not exceeding $20,000,000. If then the capital stock of the consolidated companies were $20,000,000, and the directors would be content with eight per centum interest upon such capital, after paying all expenses and keeping the property in repair, the people would have no reason to complain of private management. But a nominal capital of $80,000,000 has been created, and dividends upon this enormous inflation will be exacted from the business of the country for all time to come. The people are naturally concerned as to what may be their rights in the premises. Judging the future by the past, we have no assurance that watering stock and absorbing rival companies are to cease. It was supposed, until the recent consolidation was suggested, that a capital stock of $41,000,000, bottomed on an actual expenditure of $15,000,000 of money, was an achievement sufficiently great to satisfy the cupidity and ambition of the most pretentious corporation. But there seems to be no limit to the power of this company to absorb its rivals and water its stock. If there were any ground for hope that the present consolidation would be the last of its kind, we might with some approximation to exactitude compute the result and the effect upon the future business of the country. Eighty million dollars of stock, upon which future dividends are to be paid of at least eight per centum per annum, would require $6,400,000 annually to supply the demand. The $20,000,000 actually invested might, properly managed, earn eight per centum per annum, or $1,600,000. Hence the profit to be exacted from watered stock by this company amounts to $4,800,000 every year. This tax, thus levied upon and exacted from the business of this country by the Western Union Company, upon this fictitious stock, is equal to a permanent debt of $150,000,000 of three-per-centum Government bonds.

The profits of the Western Union Company during the past ten years have averaged over eight and one-half per cent. upon its nominal capital of $41,000,000. For the year 1880, its net profits were $5,833,938, or over fourteen per centum upon its whole capital. Notwithstanding this enormous profit for the

past ten years, covering a period, from 1873 to 1876, of the greatest financial depression and prostration of all kinds of business, yet we are informed by the terms of the agreement for the consolidation, that over $15,500,000 in addition have been earned since 1866, and invested in construction and purchase of other lines. We also learn that in 1879 $6,000,000 of its own stock, which had been purchased by the company with its earnings, was divided among its stockholders. It has also purchased with its earnings half the stock of the Atlantic and Pacific Company, which had a market value of about $2,000,000. These facts will illustrate the enormous profits of the Western Union Company. How long will the people submit to this exaction—this tax upon the business and industry of the country? That will depend upon the power and disposition of the Government to furnish a remedy. Unless a corporation created by one of the States is more powerful than the Government of the United States, the people will find a way to escape from the clutches of this monopoly.

Various means of relief have been suggested; some of them deserve to be carefully considered.

First. The regulation by the States and by the General Government of the rates to be charged for the transmission of messages. By a decision of the Supreme Court of the United States, in the case of the Pensacola Telegraph Company (6th Otto, p. 7), it was held that the powers conferred upon Congress to regulate commerce with foreign nations and among the several States, and to establish post-offices and post-roads, were not confined to the instrumentalities of commerce or of the postal services known or in use when the Constitution was adopted, but keep pace with the progress of the country, and adapt themselves to the new developments of time and circumstances. Chief-Justice Waite, in delivering the opinion in this case, said: "Since the case of Gibbons against Ogden (9 Wheat., 1), it has never been doubted that commercial intercourse is an element of commerce which comes within the regulating power of Congress. Post-offices and post-roads are established to facilitate the transmission of intelligence; but commerce and the postal service are placed in the power of Congress because, being national in their operation, they should be under the protecting power of the National Government."

The Court held further that these powers of the General

Government extend from the coach to the railroad, and from the railroad to the telegraph, as new agencies are successively brought into use to meet the demands of increasing population and wealth. It having been decided that the sending of messages by telegraph is commerce within the meaning of the Constitution, and that Congress may regulate such commerce among the States, whatever control over the subject is implied by the term "regulate" may be exercised by Congress as to all messages sent from one State to another.

Whatever right the several States may have to regulate the rates to be charged by railways within their limits, that same right they have to regulate the rates for sending telegraphic communications. The power "to regulate" is somewhat indefinite, and the extent to which Congress may go in the regulation of commerce among the States is still a disputed question; but it is conceded that railroad corporations are common carriers, and that, as such, their rates must be reasonable, and that they cannot practice unjust discrimination or extortion. A similar rule must apply to telegraph companies in the transmission of messages. Congress has never assumed heretofore the right to regulate either the rates upon railroads or telegraph lines, and whether the power exists to fix arbitrarily such rates as to inter-State commerce is a disputed question. The fixing of reasonable rates to be charged for the transmission of telegraphic messages, involving, as it would, State and national legislation, and the enforcement of the observance of such rates by private companies, would be attended with so many difficulties as to make this means of relief exceedingly doubtful, if not impossible.

Second. Another means of relief which has been proposed is to the effect that Congress should authorize the construction of telegraph lines at the Government expense, to be operated in connection with the Post-Office Department, leaving the lines now owned by corporations to be managed by them in their own way. A bill has been introduced in the House of Representatives by Mr. Ellis, of Louisiana, and is now pending before the House committee on post-offices and post-roads, which provides for the erection of a line of telegraphs between Washington and Boston, with offices at New York, Philadelphia, Baltimore, and other intermediate cities. This measure has in view the testing of the question of Government ownership and control of telegraphs. It

would not interfere directly with the existing companies, but would be in opposition to them, and the rates for messages on the Government lines, between the points named in the bill, would be fixed by Congress. While this is intended as an experiment, it looks ultimately to an extension of that system so as to embrace all parts of the country, and bring the various post-offices of the Union into coöperation with the telegraph lines. Whether such a system of Government postal telegraph can be made self-sustaining, in competition with private enterprise, can only be determined by practical tests. Private companies would be compelled to reduce their rates, at all points reached by Government lines, to the postal standard. Should the business be insufficient to remunerate both the public and private systems, one or the other must inevitably break down. Any deficiencies in the Government service could be supplied by Congressional appropriations, as is now done in the postal service. But private enterprises would not long remain in existence unless remunerative. If the business of the country is sufficient to support two systems, there can be no valid objection to a postal telegraph in competition with private enterprise. But the fear is that private enterprise would maintain lines only where the business was great, and abandon all other routes. This would leave the non-paying business to be done by the Government, and compel a ruinous competition with private companies at paying points. That an exclusively Government system can be self-sustaining is proved by the experience of other governments, and by the enormous profits of the Western Union Company in this country. If, therefore, the property of existing companies can be purchased at the actual cost value thereof, without any reference to the market value of the stock, which represents rather the value of the monopoly than of the plant, such purchase and exclusive Government control would seem to be the wiser policy to be pursued. The propriety of making an effort in good faith on the part of the Government, to secure an appraisement of the property of existing telegraph companies, with a view to its purchase, upon fair and reasonable terms, before establishing a postal telegraph in competition with such companies, will be discussed hereafter in this article.

Third. It has been proposed that Congress should aid some private corporation, and form a kind of Government copartnership with it, by means of which, without any appropriation of

public funds, individual enterprise could be successfully intrusted with the telegraphic business of the country at greatly reduced rates, without the possibility of expense to the Government. A bill having this object in view is now pending in Congress, introduced into the Senate by Senator Kirkwood, of Iowa, in the month of January. This bill proposes to aid the United States Postal Telegraph Company, a corporation created under the laws of the State of Iowa, in the construction and operation of telegraph lines in the United States. It confers the same privileges, powers, and franchises upon that corporation which were conferred by the act of Congress of July 24th, 1866, upon all telegraph companies which should file a written acceptance of the conditions and restrictions of the act, and, in addition, authorizes the company to use post-offices of the fourth class, and postmasters and post-carriers in the transmission and delivery of messages. It also provides for a uniform rate of twenty cents for twenty words, exclusive of addresses, to and from all parts of the United States, the District of Columbia, and the Territories. No appropriation is asked of Congress, and no increase of Government expense would be required. The advantages claimed for this measure are that it would furnish a uniform and reasonable rate for the transmission of messages, and that it would at the same time be free from the objections urged against a Governmental postal system, that it concentrates too much power in the hands of the Government. Of course, the company which asks this aid of Congress would be compelled to compete with existing companies in the transmission of messages, and what effect its passage would have upon existing lines is difficult to determine. But, in any event, it would compel the reduction of rates between points where the semi-Government service was established to the rates fixed by law, viz., twenty cents for twenty words to all parts of the country. A similar proposition was submitted to Congress in 1871, but was not favorably considered.

Fourth. Another measure of relief from the exactions of the telegraph monopoly which has been suggested, is that which provides for the purchase of existing lines, and their ownership by the Government, and the operation and extension of the system hereafter under exclusive Government control. In 1866, the telegraph companies obtained important privileges and franchises from the General Government, viz., the right

to construct, maintain, and operate lines of telegraph through and over any portion of the public domain, over and along any of the military or post roads, and across the navigable waters of the United States. They were also empowered to use from the public lands the necessary stone, lumber, and other materials to be used in the construction and operation of their lines, and to preëmpt public lands for stations. They were prohibited, however, from transferring to any other corporation, association, or person any of the franchises which were granted to them. This latter provision has been wholly disregarded by the companies. The following proviso was inserted in this act, viz.: that "The United States may, for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all companies acting under the provisions of the act of July 24th, 1866, entitled 'An act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes,' at an appraised value to be ascertained by five competent, disinterested persons, two of whom shall be selected by the Postmaster-General of the United States, two by the company interested, and one by the four so previously selected." It was also provided in the act that, before any telegraph company should exercise any of the powers or privileges therein conferred, such company should file its written acceptance with the Postmaster-General of the restrictions and obligations required by law. Each of the great telegraph companies now doing business in the United States, and especially those embraced in the recent consolidation, has filed with the Postmaster-General its written acceptance of the restrictions and obligations imposed by this act. Each of those companies is therefore bound to convey to the United States all of its lines, property, and effects, whenever the Government shall tender an amount equal to the appraised value, ascertained in the manner stated. The necessity for such appraisement is apparent. It has been urged in objection to such an appraisement that the telegraph companies would stock the board of appraisers with their own friends. This is possible, but not probable. A bill to provide for such appraisement is now pending in Congress. The appraisers are to be appointed in the manner provided by law, and as agreed to by the companies. They cannot complain. Two of these appraisers must be appointed by the Postmaster-General.

So great will be the popular interest in such an appraisement, that no official can hope to escape public condemnation if he should falter in his duty in so important a matter. He will be expected to make his appointments from gentlemen of the highest character and approved integrity. Nor could the companies themselves afford to pursue a different course. The pending bill requires an inventory of all the property of the companies to be made, and the appraised value of each item to be given; and all the facts and evidence collected by the board of appraisers are to be printed and laid before Congress at its next December session. If the appraisement is too high, the fact will be apparent to every one, and the board of appraisers will be convicted before the public of gross official misconduct.

If the appraisement is exorbitant, it will be impossible to get a bill through Congress to pay the companies such exorbitant price for their property. It must not be assumed that the Government will be under any obligation to purchase the property of the companies at the appraised value. If the appraisers should so far forget the responsibilities of their position as to fix the value at an unreasonable amount, the appraisement would only serve to defeat the purchase of existing lines, and the Government might then proceed to establish lines of its own, and the extension of lines could be prosecuted with as great rapidity as the appropriations made by Congress would authorize. This would force the existing companies into competition with the Government lines, and compel them to adjust their rates according to the Government standard. An appraisement of existing lines, if it did not result in their purchase, would at least expose the fictitious values upon which the stock of such lines has been issued, and would furnish Congress with reliable information as to the cost of constructing and maintaining lines of its own. The bill referred to also provides that the President shall address circular letters to our diplomatic and consular representatives abroad, requesting them to report upon the working of postal telegraph systems in other countries. If this bill should pass, Congress, at its December session, would have before it all the facts necessary to an intelligent consideration and determination of the question.

There can be no objection to a Government postal telegraph system upon the ground of want of power in Congress to establish it. The Supreme Court of the United States has decided,

as above stated, in the Pensacola telegraph case, that the transmitting of telegraphic messages comes under the power of Congress to establish post-offices and post-roads. The Government may send letters by steam power, or messages by electricity. The Supreme Court of the United States having unequivocally construed the Constitution on this point, the question of power is settled beyond further discussion. The only question to be considered in connection with the matter is one of expediency.

Can a Government telegraph system be made self-sustaining at rates materially less than those charged by private companies? This question is answered by the experience of other governments. In England, the Government purchased all the telegraph lines of private companies ten years ago, paying therefor fifty million dollars. The price paid was exorbitant, and out of all proportion to the cost of the lines. The rates were immediately reduced, and lines extended to localities which had previously been without telegraph facilities. This entailed increased expenditures, and the reduction of rates caused large increase of business. The twenty-sixth report of the Postmaster-General of Great Britain, for the financial year ending 31st of March, 1880, reviews briefly the results achieved during the ten years which have elapsed since the telegraphs of the country were transferred to the Government. Some of the paragraphs of that report are of especial interest to this country. The Postmaster-General says:

"At the time of the transfer, the telegraph companies had 1992 offices, in addition to 496 railway offices at which telegraphic work was performed, making the total number of offices 2488. At the end of the past year there were 3924 post-offices, and 1407 railway stations open for telegraph work, making the total number of telegraph offices within the United Kingdom 5331.

"The number of instruments in use by the companies was 2200, exclusive of those on private wires. The number in use in the post-office has increased to 8151. . . .

"On taking over the telegraph, the post-office commenced with 5651 miles of telegraph line, embracing 48,990 miles of wire, and these numbers have been increased to 23,156 miles of line, embracing 100,851 miles of wire. . . .

"The total length of submarine cables connecting different parts of the United Kingdom was 139 miles in 1869. Last year it was 707 miles. . .

"There were about 6,500,000 messages forwarded by the telegraph companies and by railway companies transacting public telegraph business, in the course of the year 1869. Last year the post-office forwarded 26,547,137 messages, so that the business has increased fourfold.

"The telegraph companies sent news to 144 towns, the number of subscribers being 306, including 173 newspaper publishers. Last year the post-office sent news to 313 towns, the number of subscribers, including 518 newspaper publishers, being 806.

"During the session of Parliament, the companies sent about 6100 words of news daily, and at other times about 4000 daily. The post-office during the last year sent an average of 25,697 words a day when Parliament was sitting, and 21,702 when Parliament was not sitting."

During the last ten years of Government control in Great Britain, the total revenue has every year exceeded the expenditure. Since 1874, the cost of extensions has been included in the expenses, and in recent years there were charged to the expenses of the telegraph system the purchase of a site for the new post-office at Manchester, and also large sums paid to railroad companies in settlement of arrears. During the same time, the Government service has been performed without cost and without entering the amount in the receipts. The value of the telegraph work performed for Government account without payment during the year ending March 31st, 1880, was $76,910, and the net revenue of the service for the same year, including the Government service, was $1,781,520. For the ten years of Government control, the receipts have exceeded the expenditures nearly $10,000,000, not including the value of the service performed for the Government. This does not include interest upon the original investment, but does include the cost of extensions since 1874, and all other expenses of maintaining and extending the service. But if we take into consideration interest on the original investment, such interest should be computed upon the actual cash value of the plant, and not upon the exorbitant price paid. It is a well-known fact that the Government paid four or five times more to the companies than the property was actually worth. Our Government will certainly not be betrayed into making a similar blunder. If the cash value of the plant be estimated at $20,000,000, the service has yielded five per cent. interest upon such investment. But as the plant when purchased was reasonably worth only half that amount, the profits realized have equaled ten per cent. upon such actual value, besides all the expenses of the service.

The charge for telegrams throughout the United Kingdom is one shilling—or twenty-five cents—for the first twenty words, and six cents for every additional five words or part of five words; the names and addresses of the sender and receiver are not counted.

The charges for press telegrams are one shilling for every one hundred words or portion of one hundred words, handed in between six P. M. and nine A. M., and one shilling for every seventy-five words, or portion of seventy-five words, handed in between nine A. M. and six P. M., with an additional charge of four cents per one hundred words, or four cents per seventy-five words, as the case may be, for every additional address.

Telegraph stamps of various denominations are prepared and sold, the same as postage stamps.

The writer is indebted to Mr. J. H. Blackfan, United States Superintendent of Foreign Mails, for the following statement of

RECEIPTS AND EXPENSES OF INTERIOR TELEGRAPH SERVICE IN SOME OF THE PRINCIPAL COUNTRIES OF EUROPE.

Country.	*Date of Report.*	*Internal Tariff per 20 words.**	*Receipts.*	*Expenses.*
France†....	1877	16.28 cts.	$3,203,800.00	—— ‖
Belgium‡...	1878	8.14 "	426,258.84	$518,698.30
Germany†..	1876	24.42 "	2,441,529.90	3,798,133.23
Italy†	1875	16.28 "	1,451,088.64	1,200,430.47
Switzerland‡	1879	13.01 "	400,763.04	314,893.39
Russia†....	1874	32.56–1.30\frac{24}{100}$§	3,046,559.08	2,377,993.56

NOTE.—In the above table, the *franc* is estimated at 19$\frac{3}{10}$ cents; the *mark* at 23$\frac{8}{10}$; the *lira* at 19$\frac{3}{10}$; and the *rouble* at 66$\frac{9}{10}$.

The rates in the foregoing table are estimated upon the basis of twenty words for each message; but, in the governments of Belgium, Switzerland, and France, ten words may be sent in one message, exclusive of addresses, to any distance within the country for ten cents.

A comparison of the rates paid for telegraphic communica-

* From official report published by the Austrian Statistical Bureau, Vienna, 1880.

† From "Statesman's Year-Book, 1878."

‡ From original reports from Belgian and Swiss offices.

§ According to distance.

‖ According to a statement in the "Statesman's Year-Book, 1878," there were annual deficits from the establishment of the Public Telegraph Department, in March, 1851, till the end of 1876. (No later data accessible at Office of Foreign Mails.)

tion by the people in the principal countries of Europe, under a government system, will show how great is the imposition practiced upon the people of this country by the present telegraph companies. The average price paid per message in the United States is over thirty-eight cents, according to the official reports of the Western Union Company. The ordinary message is restricted to ten words. But, in England, the ordinary message may contain twenty words, which is sent throughout the kingdom for twenty-five cents; and the average charge of all messages sent for the past year was but twenty-seven cents. In explanation of this fact, the company will claim that the distances are much greater in this country. But, as the principal expense is in sending, receiving, and delivering the messages, the matter of distance is of but little consequence. It is a well-ascertained fact that every reduction in rates has produced a large increase of business, as well as augmented the receipts of the service. With a Government system in this country, we might reasonably expect a reduction of rates to not exceeding twenty cents for twenty words to any part of the United States and the Territories, a large increase in the number of offices, and an enormous increase in the number of messages. How long the people will forego such benefits, and permit the exactions and extortion of private companies, remains to be seen. The commercial and social benefits to the people which would immediately follow increased telegraphic communication at reasonable rates, in a country of the vast extent of our own, can scarcely be estimated. The press of the country is especially interested in securing increased facilities for the transmission of news. Under a Government system, private wires might be rented both to the Associated Press, and to newspaper publishers whose business would justify it, at rates which would merely reimburse the Government for the cost of constructing and maintaining the press wires, in connection with other Government wires upon the same lines. Boards of trade could also secure the separate use of wires connecting the principal cities of the Union; and all classes of people, both for social and business purposes, could obtain telegraph facilities at reasonable rates.

The Western Union Company not only enjoys a monopoly of the business of transmitting messages by telegraph, but also a monopoly of commercial intelligence. Two of the directors of the company are reputed to be worth two hundred million dollars,

and practically control the railway transportation of the whole country. They may raise or depress the prices of all agricultural products at their will, by raising or reducing freights. Add to this immense power a monopoly of all commercial intelligence, and they may deal in "futures" of corn, wheat, cotton, and other products, with absolute certainty of success. With such opportunities, the only limit of their gains will be the amount of tribute which the agriculture and business of the country can yield. Farmers, shippers, merchants, and traders will be permitted to earn a living, if they are careful and frugal, but beyond that they must not hope to go. The transportation and telegraph monopoly will gather in all the rest. Under a Government system, intelligence at least would be furnished to all alike. Under stringent laws and regulations, the telegraph and the mails would be alike at the service of all. "First come, first served" would be the imperative law of the land, and the secrecy of messages could be as sacredly preserved as is the secrecy of letters in the mails.

The most potent argument advanced against a Government postal telegraph is that the increased number of employés would place too great power in the hands of the Federal Administration, and that the telegraph might be used as an engine of political oppression. If there were no means of preventing by legislation such a result, the argument would be almost decisive. Yet, even though this result were not preventable, there would still remain the choice of evils between a system liable to abuse by being used to secure political ascendancy, and a system controlled wholly by personal cupidity and corporate greed. But the legislation that provides for a Government system should be so carefully framed that it will not only secure a telegraph service conducted upon strict business principles, but also free the postal service from the control of politicians, and place the whole business of transmitting intelligence under non-partisan management. There should be at least one branch of the public service entirely beyond the reach of all partisan considerations. As the transmission of letters and telegrams concerns the great body of the people, this service should be conducted with strict impartiality, and freed from all the exigencies of party. Legislation securing this result once obtained, its salutary benefits would be a sufficient guarantee against its repeal.

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HENRY WADSWORTH LONGFELLOW.

I NOT unnaturally feel disinclined to speak in public of the character and genius of Longfellow, as he is happily still among us, and as I may perhaps be allowed to call him my friend; but he stands so far aloof from the possibility of censorial severity that I think I shall hardly give offense. I certainly should abandon the idea of writing of him at all, had I aught to say which he would be hurt to hear. To criticism on his poetry he must by this time be well used. I do not remember to have seen anything more hard toward him than a parody. I, at any rate, shall not be harsh. Indeed, he gives no scope for critical severity,—never offending, never attempting to rise so high as to "o'erleap itself and fall on the other" side, never ridiculous, never magniloquent, seldom magnificent. His finer touches come so gradually upon us, that we hardly feel ourselves to be in an element above our own. Evangeline, when she finds that Gabriel is not with his father—"Gone! Is Gabriel gone?"—hardly expresses to our feelings all the pathos of her love, because we have gradually come to live among pathetic utterances. He has never received all the praise due to him, but he has thus escaped invidious remark. He had crept up to our hearts before we had learned to think that he was mastering our judgment. In this way he has escaped all hardships of criticism, and he certainly will not receive a heavy measure of it from me.

In personal contact with Longfellow, the stranger is apt to drop the poet in the gentleman, the distinguished man of letters in the uncommonly pleasant fellow whom he has encountered. Whether this is as it ought to be I will leave my readers to decide. I do not think that poets generally make themselves so cheap,—or that distinguished men of letters do so. There is generally something which declares to you the fact that you are

in the presence of a remarkable person. "This is the pleasantest man I ever met," the British stranger is inclined to say. "He is a first-class gentleman. But where is Longfellow? Where's the American poet?" And, indeed, he is not at all like his countrymen in this respect, among whom, as in some other countries, the man of letters likes to claim the respect which he believes to be due to him. Motley chose to be known as Motley; so did Emerson. So also did my excellent friend Oliver Wendell Holmes, —and will do so long, let us hope. His children, his cigars, the dinner he will give you,—or more probably yourself,—are the subjects which are apt to come up with Longfellow in his conversation with you.

In speaking of Hawthorne in these pages, and in comparing his genius with that of others, I mentioned the purity of Longfellow, and I said that "the seraphic excellence of 'Hiawatha' and 'Evangeline' could have proceeded only from a mind which the world's roughness had neither toughened nor tainted." Such, to my thinking, is the peculiar nature of Longfellow's muse. But he is pure without the slightest affectation of purity. Among our own bards there are those with whom the same delicacy is their peculiar characteristic. Cowper is as pure as could be any strictest lady. But with him it amounts almost to an affectation. He rises, especially in his "Task," to great heights of poetry;—beyond, perhaps, those which, in his simplicity, Longfellow attempts. He is, too, a complete master of the melody of versification, whereas Longfellow, in the peculiar manner and methods which he has adopted, becomes sometimes almost prosaic. But a study of Longfellow's works leaves on the reader's mind a feeling that he is pure because of his nature. Cowper, on the other hand, raises a conviction that he is pure by having overcome his nature. He seems to betray a former connection with original sin. The other is simply living the life he has ever lived, in which sin has had no part. If he be seraphic, it is because he was born and bred so, and to be seraphic has come easy to him. That Cowper must have had stirring struggles with the devil in his youth, and have conquered him, is quite certain. Cowper delights in old women, as being less wicked than old men, and is pious, mad, and inspired. Longfellow takes the people as they come, and is neither pious, nor mad, nor, to the outward sense, inspired. But he is a great poet, and his poetry is perfectly pure.

He is, I think, essentially unlike his countrymen,—so much so,

that, of all the poets of his day, he is the last that I should have guessed to be an American had I come across his works in ignorance of the fact. He is never loud, far-fetched, funny, or extravagant. He is unlike Bryant, Poe, Lowell, and Bret Harte. Italian poetry, which he delights to translate,—probably from the relief which he finds in having occasionally to supply words only and not ideas,—has been his model. As he is pure, so also is he graceful. But that for which you have to look, and will most surely find in his poetry, is pathos. Now a story of love may be delightfully told, and yet not be pathetic. Look at Rosalind, where the comedy, fresh and sweet as it is, frustrates pathos; or even Juliet, where the love leaps from passion to tragedy, and never quite enters on the melancholy realm of pathos. Look at your dictionary, and you shall see that pathos is called passion. The words, indeed, from their derivation, should mean the same; but the meaning they convey to us at present is very different. No one would, I think, describe the story of Evangeline as one of strong passion, but no story more pathetic was ever written. A soft melancholy, which may rise indeed sometimes to tragic sorrow, but which never loses its softness and never ceases to be tender, is necessary to pathos. And such is the distinguishing characteristic of Longfellow in all his longer popular poems. Indeed, it is to be found in all that he writes, poetry as well as prose. For it we read "Evangeline" and "Hiawatha," but it is to be found in almost all his minor poems. In the carillon of "The Belfry of Bruges" he hears—

> ". . . or dreams he hears,
> Intermingled with the song,
> Thoughts that he has cherished long;
> Hears amid the chime and singing
> The bells of his own village ringing."

What can be more pathetic than the idea to which Thor in his challenge gives rise?—

> "Thou art a God, too,
> O Galilean!
> And thus single-handed
> Unto the combat,
> Gauntlet or Gospel,
> Here I defy thee!"

In singing of Nuremberg, he breaks out into pathos:

"Vanished is the ancient splendor, and before my dreamy eye
Wave these mingling shapes and figures, like a faded tapestry."

Again:

"Then the moon in all her pride,
Like a spirit glorified,
Filled and overflowed the night
With revelations of her light."

And I will quote the last lines of that well-worn song, "Excelsior":

"There in the twilight cold and gray,
Lifeless, but beautiful, he lay,
And from the sky, serene and far,
A voice fell, like a falling star—
'Excelsior.'"

You cannot say that any of these passages are passionate, but they will all fill you with pathos,—if your ideas as to the words be the same as mine. In this feeling, without which the man who reads much hardly passes a day of his life, Longfellow continually indulges. In the passages to which I have referred there is no charm of love, nor is there an idea of suffering; but who can read them without something of pathos coming across his heart?

I purpose in the following pages to take our poet's three most known works and analyze them as best I may be able. I will not here give his prose works, which, charming though they be, are not as widely known as his poetry. By "Hyperion" and "Kavanagh" he has not become that Longfellow whom all readers on this side of the water delight to honor and aspire to know, but by "Evangeline," "Hiawatha," and "The Courtship of Miles Standish." To these I will add the vision of the viking in "The Skeleton in Armor."

"Evangeline" is the story of a girl who, with all the inhabitants of the village in which she lives, is banished from her home at Grand-Pré, in Acadia. There are a few words in the poem alluding to old-fashioned British tyranny, and we are told in a short preface that when the land was given over by the French to the English,—that land which is now called Nova Scotia,—the inhabitants of Grand-Pré were supposed to have lent their aid to French rebels, and to have been driven from their homes in consequence. Seeing that they were all French, it was natural that

they should have done so. It took place nearly two hundred years ago, and the poet has been, at any rate, justified in imagining the cruelty, even if it did not exist. The story begins with the description of the village:

> "In the Acadian land, on the shores of the Basin of Minas,
> Distant, secluded, still, the little village of Grand-Pré
> Lay in the fruitful valley."

The poet has selected the meter of the Iliad and Æneid, and has chosen to write the work by which he will be best known to all posterity in hexameters. A friend consulted before the writing would have cautioned him of difficulties, and would have told him that their rhythm better suits the Greek or Latin language, with its closely defined prosody, than the English, which depends chiefly upon its verbal attractions, or rhymes and cadences. He would have warned the poet against the monotony of this measure when applied to English, and would have proved to him by reading a passage aloud that it falls into a sing-song melody. But, had the friend waited till the total result had been accomplished, he would not have repelled the attempt. In reading aloud, the reader has to guard against the above-named effect; but he can guard against it, and then gradually the lines assume a tranquil dignity admirably suited to the subject. Let imitators beware, lest in writing hexameters, not difficult in English, they will seem to attempt to reach Longfellow,—and will fail.

Of the Acadian village we become acquainted with six of the inhabitants. There is Benedict Bellefontaine the farmer, and his daughter Evangeline. There is Basil the blacksmith, and his son Gabriel. And there are the priest and the notary. Gabriel and Evangeline are of course in love with each other:

> "Thus, at peace with God and the world, the farmer of Grand-Pré
> Lived on his sunny farm, and Evangeline governed his household.
> Many a youth, as he knelt in the church and opened his missal,
> Fixed his eyes upon her, as the saint of his deepest devotion;
> . . . . . .
> But, among all who came, young Gabriel only was welcome;
> Gabriel Lajeunesse, the son of Basil the blacksmith."

Thus the story of Evangeline's love is told at once, and made a fact which never for a moment leaves the reader's mind. For "Evangeline" is essentially a love-story, a story of unsuccessful love, to which is added all the charm which can be given by a

true delineation of Nature in all her beauty. The blacksmith comes to visit the farmer, who is of a happy, contented mind; whereas his friend, as a politician looking deeply into things as they are, is less contented with their aspect. He gives the terrible news of the day:

"'Four days now are passed since the English ships at their anchors
Ride in the Gaspereau's mouth, with their cannon pointed against us.
What their design may be is unknown; but all are commanded
On the morrow to meet in the church, where his Majesty's mandate
Will be proclaimed as law in the land.'"

René Leblanc the notary then comes in to arrange preliminaries for the marriage. There is some political talk, but the business of the hour is done. There is a description of Evangeline herself, which is not only beautiful, but so wonderfully graphic as to leave an impress on the reader's mind which he never shakes off:

"Soon with a soundless step the foot of Evangeline followed.
Up the staircase moved a luminous space in the darkness,
Lighted less by the lamp than the shining face of the maiden.
Silent she passed the hall, and entered the door of her chamber.
. . . . . .
Ah! she was fair, exceeding fair to behold, as she stood with
Naked snow-white feet on the gleaming floor of her chamber!
Little she dreamed that below, among the trees of the orchard,
Waited her lover and watched for the gleam of her lamp and her shadow."

Then there is the part of the betrothal, where—

"Fairest of all the maids was Evangeline, Benedict's daughter!
Noblest of all the youths was Gabriel, son of the blacksmith!"

But the orders of the Englishmen come. The inhabitants of the village, one and all, are to be banished from Grand-Pré. Basil the blacksmith rebels, while Bellefontaine the farmer, with his daughter, prepare to obey the British orders:

"Meanwhile, amid the gloom, by the church Evangeline lingered.
All was silent within; and in vain at the door and the windows
Stood she, and listened and looked, till, overcome by emotion,
'Gabriel!' cried she aloud with tremulous voice; but no answer
Came from the graves of the dead, nor the gloomier grave of the living."

They are all hurried down to the sea-shore, and there they are separated. Basil and Gabriel are carried off in different ships; while the farmer and his daughter, looking back, see the flames and smoke rising to heaven from the ruins of their village:

"'We shall behold no more our homes in the village of Grand-Pré!'"

But, alas! they are not doomed even to suffer exile together. The old father, broken-hearted, dies upon the sand, and is buried, till in a happier time his neighbors shall return and piously place his dust in the church-yard. Then Evangeline is carried off into the world alone.

The second part begins after the lapse of long days:

"Many a weary year had passed since the burning of Grand-Pré,
When on the falling tide the freighted vessels departed,
Bearing a nation, with all its household gods, into exile,
Exile without an end, and without an example in story.

. . . . . .

Friendless, homeless, hopeless, they wandered from city to city,
From the cold lakes of the North to sultry Southern savannas,—
From the bleak shores of the sea to the lands where the Father of Waters
Seizes the hills in his hands, and drags them down to the ocean,
Deep in their sands to bury the scattered bones of the mammoth.

. . . . . .

Long among them was seen a maiden who waited and wandered,
Lowly and meek in spirit, and patiently suffering all things."

And so Evangeline passes on, ever looking for her lover. We can almost see her as she wearies and fades in the search. Life has nothing before her except the hope that she may find her lover,—may find him who was all but her husband. She comes upon his track again and again, but still she misses him:

"'Gabriel Lajeunesse!' said they; 'O, yes! we have seen him.
He was with Basil the blacksmith, and both have gone to the prairies;
Coureurs-des-Bois are they, and famous hunters and trappers.'
'Gabriel Lajeunesse!' said others; 'O, yes! we have seen him.
He is a *Voyageur* in the lowlands of Louisiana.'"

The priest, her friend, was with her, and tries to console her:

"... O daughter! thy God thus speaketh within thee!
Talk not of wasted affection, affection never has wasted;
If it enrich not the heart of another, its waters, returning
Back to their springs, like the rain, shall fill them full of refreshment."

Hereupon the poet explains what it is he intends to do with Evangeline, and makes his reader clearly understand the great purpose which he has in hand:

"Let me essay, O Muse! to follow the wanderer's footsteps;—
Not through each devious path, each changeful year of existence;
But as a traveller follows a streamlet's course through the valley:
Far from its margin at times, and seeing the gleam of its water
Here and there, in some open space, and at intervals only;
Then drawing nearer its banks, through sylvan glooms that conceal it,
Though he behold it not, he can hear its continuous murmur;
Happy, at length, if he find the spot where it reaches an outlet."

He describes the passage of his travelers onward through forests, down rivers, and across lakes, teaching his reader to see with the eye of his imagination the very track over which he takes them; you smell the flowers, and you feel the waters, and you yourself lie in your boat idle in the hot sunshine. The gloom of the cypresses envelops you. The sluggish movements of the lagoons almost overpower you. The groves of orange and citron are too rich and gorgeous for your senses. The cotton-trees nod their shadowy crests, and the pelicans wade with their snow-white plumes. The reader feels that nature is being described to him with singular truth. And yet Longfellow had never seen the country he paints;—has not, as I believe, seen it now. He told me that he had never traveled through those parts of his own continent which he had described. His traveling has been chiefly European. But his imagination whispered to him here what would be necessary for the adornment of his tale. And, indeed, I think that it is mostly so when the reader finds himself delighted by the description of places or even of things; the word-painting is generally the effect of imagination. Consequently, we are so often disappointed when we reach the place described. I myself cannot describe places; I enjoy the beauty and the feeling of scenic effect, but I lack the words to render them delightful to others. But I have some trick in depicting social scenes, and have been often complimented on my sketch of clerical life. I am told that I must have lived in cathedral cities, and the like,—and have, with a certain mild denial, carried off the compliments. I could not say so in my own country, but I do not mind acknowledging to Americans that all my clergymen have been but pastors and parsons of the imagination. So it has been with Longfellow,

and I doubt much whether those who go southward down the Mississippi will find the scenes which he paints.

Evangeline knows that Gabriel is before her on her track, and the boatmen call on to other neighboring boatmen, but not a voice is returned:

"And when the echoes had ceased, like a sense of pain was the silence.
Then Evangeline slept; but the boatmen rowed through the midnight,
Silent at times, then singing familiar Canadian boat-songs,
Such as they sang of old on their own Acadian rivers.
And through the night were heard the mysterious sounds of the desert,
Far off, indistinct, as of wave or wind in the forest,
Mixed with the whoop of the crane and the roar of the grim alligator."

But,

"Nearer and ever nearer, among the numberless islands,
Darted a light, swift boat. . . .

. . . . . .

At the helm sat a youth, with countenance thoughtful and careworn.
Dark and neglected locks overshadowed his brow, and a sadness
Somewhat beyond his years on his face was legibly written.
Gabriel was it, who, weary with waiting, unhappy and restless,
Sought in the Western wilds oblivion of self and of sorrow."

"Angel of God," says the poet, "was there none to awaken the slumbering maiden."

"Something says in my heart that near me Gabriel wanders.
Is it a foolish dream, an idle and vague superstition?
Or has an angel passed, and revealed the truth to my spirit?"

Journeying on, they come upon a country homestead, in which they find Basil the blacksmith—alone. The passage begins with a description of the home of the breeder of cattle,—for to that profession has the blacksmith turned,—and of the stalwart old man as he is seen on his steed, with Spanish saddle and Spanish dress, —to which description I think my former remarks also apply. But all is picturesque, peaceful, and at the same time touched with pathos. Basil recognizes them, and tells them that Gabriel had left him only that morning. "Gone! Is Gabriel gone?" says Evangeline. Basil rejoins that his son had become weary with waiting. Of the girls of the country he would take no notice. His life had been hard to bear, and he had become a companion hard to be borne. He had gone off that very morning in his boat, and how had it been that they had not met him amid the waters? Evange-

line's dream had been true, and Gabriel had been close to her while they lay that night sleeping among the reeds. But Basil explains that, if they follow him, he will have but one day's start of them. He has gone to a Spanish town hard by, whence he will go up country to hunt the beaver. But they will catch him surely before he starts, and bring him back, oh! so willingly, to his prison. Evangeline shall rest one night, and on the morning they will again be on their journey. Basil rises to enthusiasm as he describes the charms of his new home, and the freedom, the sunny delights of the South, and the absence of Georgian tyranny. But there is no word of slavery. Alas! we fear that Basil is wrong in his outlook into the future. The joys of freedom are hardly so compatible with Southern verdure as are the "hungry winters" and "congealed rivers" and "stony ground" of the North. Basil, however, remembers himself, and the truth:

"'Only beware of the fever, my friends, beware of the fever!'"

They start again on their journey, and, on reaching the Spanish town, find that Gabriel had left it on the previous morning!

It is impossible to give an idea of the genius of Longfellow without insisting on the joy with which he revels among imaginary beauties of nature. It is to him a nature of his own, not requiring the sustenance of an outside world before his eyes, as was to Hawthorne the weird mysticism of a world which was only present to him in his fancy. There was nothing special in Hawthorne's personal experiences to have produced such dread ideas; and, though Longfellow has traveled in the course of an enjoyable life through scenes of much European beauty, not to that is to be attributed the luxuriance of the charm of description by which the readers of "Evangeline" are delighted. It is not necessary to produce such description that with the poet's fancy should be combined a reality of poetic scenery. Without the fancy, the scenery would be nothing. All the Alps with all their glory do not create for us a great Swiss poet. But, without the Alps or any of their glory, the classical but not particularly beautiful town of Cambridge, and the somewhat sterile region of Massachusetts, suffice, when the man comes to whom God has given the genius of Longfellow.

They pass on on their search amid various adventures, and at

last they arrive at a "mission," at which dwells a priest, whose work it is to baptize, and, if possible, to teach the Indians. Here again Gabriel had been, but again had gone upon his distant journey. But, in the autumn, so says the priest, he will surely return. Evangeline declares that she will remain with him, wearing away the long day till autumn comes, and she sends Basil back with her troop of friends to their new-found home:

"Slowly, slowly, slowly the days succeeded each other,—
Days and weeks and months; and the fields of maize that were springing
Green from the ground, when a stranger she came, now waving above her,
Lifted their slender shafts."

But in the autumn he came not, nor in the winter; and in the summer she renews her search. All alone, or with companions found upon her journey, she still goes on and on, till the reader's heart is almost broken by the constancy of her purpose and its thanklessness:

"Like a phantom she came, and passed away unremembered.
Fair was she and young, when in hope began the long journey;
Faded was she and old, when in disappointment it ended."

We seem to see her as the lines of age and sorrow come upon her during her long work. There is a persistency in the telling of the story which never wearies,—the same sort of persistency as that by which she was supported. She finds her way to Penn's city, and there, after a while, the plague also finds its way. The description is again wonderfully good:

"Wealth had no power to bribe, nor beauty to charm, the oppressor."

Rich and poor fall alike. And here Evangeline takes upon herself the duties of a nurse,—she by this time worn and aged, and only waiting till the Lord should release her from her troubles. And she is released. Amid the sick there is one gray old man to whose bedside she is taken, and him she finds to be her lover:

"Then there escaped from her lips a cry of such terrible anguish,
That the dying heard it, and started up from their pillows."

On the pallet before her was stretched the form of a man whom

she recognizes as Gabriel. At last they meet,—but they meet only to know each other, to die, to be buried there in the strange city, and to become a tale to be told for ever after.

"Evangeline" has taken its place among the recognized poems of the English language in such a way that it can never lose it; and she has taken her place as one of the sweetest characters in the world of letters. There is, however, but little in it but what the poet's imagination has supplied. Of Gabriel personally we know nothing, nor of Evangeline's beauty. The only description given is of her "naked snow-white feet." But of her persistency we are assured, and her innocency we cannot but take for granted. Let the reader ask himself whether he is not assured that Evangeline is pure and innocent. Then let him ask himself why? The poet has never told him so; but such has been the efficacy of the poet's song.

I can hardly myself say whether the meter has been most for him or against him. I would not have it changed; but I would hardly have recommended another attempt. One has at first to dislike it, and then one has to learn to love it. Longfellow had before tried it in "The Children of the Lord's Supper,"—a poem translated from the Swedish,—and has, as I think, only partially succeeded. The difficulty consists in converting English sounds into the necessary penultimate dactyl. "Endures and stands waiting"; "I have pledged you to heaven";—these are two, to which many could be added, which are not euphonious; and, in reading a poem in the English language produced in a meter in which the ear has become accustomed to all the soft prosody of the Latin language, the reader is at once struck and offended by a want of euphony. He returns to it in "The Courtship of Miles Standish," and likes it somewhat better, though it has not all the softness of "Evangeline."

"Hiawatha" I regard as Longfellow's greatest work,—greatest for continuity of purpose and success in carrying it out, though it is not that which will be best liked by the world at large. But here, again, the reader has to accustom himself to the rhythm before he can appreciate the excellence of the poem. I remember when, on its first appearance in London, it became almost an object of ridicule because of the singularity of the meter, and the continued reiteration of sounds and translations which the poet has allowed himself to adopt. He has created, too, for himself a habit of continuing his sentence without all its component parts:

"Forth went Shingebis, the diver,
Wrestled all night with the North-Wind,
Wrestled naked on the moorlands
With the fierce Kabibonokka."

"On the next day of his fasting,
By the river's brink he wandered,
Through the Muskoday, the meadow,
Saw the wild-rice, Mahnomonee,
Saw the blueberry, Meenahga,
And the strawberry, Odahmin,
And the gooseberry, Shahbomin,
And the grape-vine, the Bemahgut."

Repetitions such as these caught the reader's ear and eyes and produced parodies,—especially one in "Punch," which, for a time, was better known in London than "Hiawatha" itself. But "Hiawatha" has stuff in it which has enabled it to live down all such criticism, which, in regard to the author, was never other than good-natured, and has come by its own native strength to be understood and established as a great work.

The purpose of "Hiawatha" is similar to that carried out in "Orion," another poem of much power in the English language by our countryman, Horne. From some cause, which to me has ever been a mystery, "Orion" has not become popular. It contains passages to which, for description, it is difficult to find anything superior; and the thought or idea carried through the whole never flags. It is the old idea of Hercules,—of a man endowed with god-like energy, with grand desire for progress, with mental and corporeal capacities for carrying them out, but still impeded by human desires. Such was Horne's idea of Orion, as taken from the old Greek mythology; and such has been the idea—whence taken we know not—of Longfellow in describing Hiawatha, the Orion of the North American Indians. He, too, is human, but at the same time god-like, and employs himself, amid all impediments and antipathies of the human race, to conquer for them the difficulties imposed by nature. I need hardly say that there has come to the world, in these later years in which we live, another teacher, who has achieved the tasks on which the mythic Hercules, Orion, and Hiawatha spent their strength very much in vain.

"Hiawatha" is divided into twenty-two parts, of which the first two have no reference to the hero. In the first, the great

god, offended by the quarrels of his people, calls them all together, over the face of the earth, by smoking his peace-pipe. They come, and obediently all profess friendship. In the second, Mudjekeewis, the West-Wind, Hiawatha's father, is chosen King of the Winds. Kabibonokka is the North-Wind, and his battle with Shingebis, the bird which will not submit to him, is ludicrously described. The four winds are named, and the fourth is in the keeping of Mudjekeewis. Then, in the third part, the birth of Hiawatha is described. Wenonah is his mother, the beautiful daughter of Nokomis:

"And Nokomis warned her often,
Saying oft, and oft repeating,
'O, beware of Mudjekeewis,
Of the West-Wind, Mudjekeewis;
Listen not to what he tells you;
Lie not down upon the meadow,
Stoop not down among the lilies,
Lest the West-Wind come and harm you!'
But she heeded not the warning,
Heeded not those words of wisdom,
And the West-Wind came at evening,
Walking lightly o'er the prairie,
Whispering to the leaves and blossoms,
Bending low the flowers and grasses,
Found the beautiful Wenonah,
Lying there among the lilies,
Wooed her with his words of sweetness,
Wooed her with his soft caresses,
Till she bore a son in sorrow,
Bore a son of love and sorrow."

When he is born, his mother dies broken-hearted at the desertion of the heartless Mudjekeewis. But he is brought up by his grandmother Nokomis, and nothing can be sweeter than the story of his childhood:

"'Ewa-yea! my little owlet!
Who is this, that lights the wigwam?
With his great eyes lights the wigwam?
Ewa-yea! my little owlet!'"

Then, after a time, he goes forth to seek his father, who lives in an unknown country right across the world, among the Rocky Mountains. He goes so fast that he leaves the antelope behind

him; indeed, he runs so quickly, that he passes the arrow as he shot it from his bow. He finds his father, and fights with him as avenging his mother. But his father is immortal and cannot be killed, and sends him home rewarded for his valor. Then we are told of Hiawatha, how he prayed and fasted in the forest:

> "Not for greater skill in hunting,
> Not for greater craft in fishing,
> Not for triumphs in the battle,
> And renown among the warriors,
> But for profit of the people."

And he makes two friends, Music and Strength,—Chibiabos the musician, and Kwasind the strong man,—upon whom to depend for all his needs. He makes a boat, too, and goes a-fishing. From the birch-tree and the cedar, from the tamarack and the larch, from the fir-tree and the balsam, he took what he needed. But when his canoe was made, he had no paddles. We are told that his thoughts served him as paddles,—in which I think there is an error in the metaphor. As the poet deals with matters so palpable as a boat, he should hardly furnish it with utensils so shadowy as thoughts. He goes a-fishing with the assistance of the squirrel, and kills Mishe-Nahma, the King of Fishes.

Then we have the story of his wooing:

> "'As unto the bow the cord is,
> So unto the man is woman,
> Though she bends him, she obeys him,
> Though she draws him, yet she follows,
> Useless each without the other!'"

He had seen among the Dacotahs, Minnehaha, whose name is Laughing Water, the daughter of the Arrow-maker; and, in spite of the warnings of his grandmother, who thinks it safer that he should wed one of his tribe, goes off and courts her. The father gives his consent:

> "And the lovely Laughing Water
> Seemed more lovely, as she stood there,
> Neither willing nor reluctant,
> As she went to Hiawatha,
> Softly took the seat beside him,
> While she said, and blushed to say it,
> 'I will follow you, my husband!'"

In the eleventh part, he tells of the wedding-feast, in which Chibiabos sings a song of joy and love. It is too long for insertion here, but I refer to it as a perfect expression of the feeling and melody of Longfellow's muse. I do not think that anything he has done is better than the song of Chibiabos, or more peculiarly characteristic of the man. It declares the accuracy of his ear, for he has not admitted into it a sound that grates; and the correctness of his feeling,—if I may venture to say so much of my own judgment,—for there is not a word that does not come home to me as being true to a man's admiration for a woman. Then is told the story of the son of the Evening Star,—very pretty, very graphic, very droll:

> "And they laughed till all the forest
> Rang with their unseemly laughter."

Chibiabos then sings another song, and the story of the wedding is over. The second song is not equal to the first, because the poet allows himself the use of a reiterated line. Nothing is more dangerous. Now and again it has been done with wonderful effect; but it is perilously easy to miss the charm. Virgil has been very successful:

> "Ducite ab urbe domum, mea carmina, ducite Daphnin."

There is a sweetness and a melody in that, perhaps heightened to our ears by our imperfect familiarity with the dead language. But the sounds must be of the very softest and sweetest to admit of it. Longfellow has almost missed it in his repeated line:

> "O my sweetheart, my Algonquin!"

He goes out and blesses the corn-fields, carrying out his purposes of doing good to man:

> "'Thus the fields shall be more fruitful,
> And the passing of your footsteps
> Draw a magic circle round them,
> So that neither blight nor mildew,
> Neither burrowing worm nor insect,
> Shall pass o'er the magic circle;
> Not the dragon-fly, Kwo-ne-she,
> Nor the spider, Subbekashe,
> Nor the grasshopper, Pah-puk-keena,
> Nor the mighty caterpillar,
> Way-muk-kwana, with the bear-skin,
> King of all the caterpillars!"

The ravens hear him, chirping and plotting together in the tops of the trees. They have their own little plans. They will get at the seed. But the watchful Hiawatha hears their scornful laughter, and determines to outwit them:

> "'Kaw!' he said, 'my friends the ravens!
> Kahgahgee, my King of Ravens!
> I will teach you all a lesson
> That shall not be soon forgotten!'"

So he got up early and set traps for the ravens, and, of course, he catches them and slaughters them by tens and twenties. Only the king he spared, and tied him by his leg to the ridge-pole of his wigwam. There the old black bird sits struggling, vainly calling to his "people." Through the whole poem there is the same flavor of drollery. Hiawatha, in his continual battle with things evil, is always conscious of the humor of the contest, so that the reader is carried on by picturesque jest as well as pathos. But we come to the lamentation of Hiawatha for the death of his friend Chibiabos. The evil spirits league together to destroy him, and Chibiabos falls into the trap:

> "Forth to hunt the deer with antlers
> All alone went Chibiabos."

But, in crossing the ice, the spirits catch him and drag him down into the water; and there they

> "Drowned him in the deep abysses
> Of the lake of Gitche Gumee."

Hiawatha is inconsolable. His bard is dead. The spirit of music is fled from him:

> "'He is dead, the sweet musician!'"

But the medicine-men come and console him. They bring their simples and ointments, and Hiawatha yields to them:

> "Thus was first made known to mortals
> All the mystery of Medamin,
> All the sacred art of healing."

I cannot tell of the wild adventures, of the tricks and gam-

bols, of the cunning of Pau-Puk-Keewis, but must go on to the death of Kwasind, and the mischief of the Puk-Wudjies:

> "'If this hateful Kwasind,' said they,
> 'If this great, outrageous fellow
> Goes on thus a little longer,
> Tearing everything he touches,
> Rending everything to pieces,
> Filling all the world with wonder,
> What becomes of the Puk-Wudjies?'"

Then, as ever, weakness was jealous of strength, so that the Puk-Wudjies resolved to rid themselves and the world of the strong arm which did so much for them. In poetry, all strong men have been vulnerable at one point only. Achilles was weak in his heel; Samson in his hair. Kwasind could not be touched by anything that men would do to him except on the top of his head, and there only by the cones of the fir-tree. This was a secret supposed to be known to none. But the crafty little Puk-Wudjies learned it, and gathering together a quantity of cones waited till Kwasind came floating down the river fast asleep in his boat. Then the wicked little people pelted him till he died,—

> "And he sideways swayed and tumbled,
> Sideways fell into the river,"—

and that was the end of Kwasind.

Then there come upon the earth all the horrors of a famine,—of famine and fever together. It is midwinter, and frost and snow cover all things. Minnehaha is starving in their wigwam, and Hiawatha can find no food for her. There is not a deer nor a rabbit in the woods:

> "'Give your children food, O father!
> Give us food, or we must perish!
> Give me food for Minnehaha!'"

He goes off far to the forest, but can find nothing. But he hears, or fancies that he hears, the voice of Minnehaha:

> "Miles away among the mountains,
> Heard that sudden cry of anguish,
> Heard the voice of Minnehaha
> Calling to him in the darkness,
> 'Hiawatha! Hiawatha!'"

He hurries home, and finds her dead. Now he has lost everything. Chibiabos and Kwasind are gone; and now the best beloved of all, Minnehaha, is taken from him. In the stories that have been told to us of all those heroes who have struggled to assist their fellow-creatures, sorrow has ever been the appropriate and, as it seems to us, the only possible ending.

"'Farewell!' said he, 'Minnehaha!
Farewell, O my Laughing Water!
All my heart is buried with you,
All my thoughts go onward with you!
Come not back again to labor,
Come not back again to suffer,
Where the Famine and the Fever
Wear the heart and waste the body.
Soon my task will be completed,
Soon your footsteps I shall follow
To the Islands of the Blessed.'"

I may here leave the story of Hiawatha. There are two more parts or cantos in which he is introduced to the white man, but I have done enough to describe the purport of the poem and enough also, I hope, to make all your readers aware how small a portion of it is occupied by the alliteration and repetitions to which their attention has been particularly called. The purpose has been very great, and the execution wonderfully good, mingling pathos, humor, and description in such a way as to offend none. In pathos, humor, and description it is complete, and is told in verse which never jars, at any rate on my ear. In "Evangeline" there is no humor, and I cannot say quite so much for the versification.

The story of Miles Standish and of John Alden is as old as the hills, but it never was told with a clearer or more deliberate purpose, nor in the telling of it were the feelings of the three persons concerned made more conspicuous. The three are all of the company of the old Pilgrim fathers who landed from the Mayflower at Plymouth, and the time chosen is before the return journey of the ship to England. The persons concerned are Miles Standish the soldier, John Alden the student, and Priscilla, with whom both of them are in love. The two men are, or at least have been, fast friends; but John Alden—while he is thinking of his love, dreaming of his love, hoping that his love may be brought to love him—is desired by the soldier to go to Priscilla

and, on his behalf, to ask for her hand. This he does, most mournfully, with a broken heart, but is answered by the girl, who will have nothing to say to Miles Standish, "Why don't you speak for yourself, John?"

> "Into the open air John Alden, perplexed and bewildered,
> Rushed like a man insane, and wandered alone by the sea-side;
> Paced up and down the sands, and bared his head to the east-wind,
> Cooling his heated brow, and the fire and fever within him.
> Slowly, as out of the heavens, with apocalyptical splendors,
> Sank the City of God, in the vision of John the Apostle,
> So, with its cloudy walls of chrysolite, jasper, and sapphire,
> Sank the broad red sun, and over its turrets uplifted
> Glimmered the golden reed of the angel who measured the city."

These lines hardly have the pathos with which the sufferings of Evangeline are described. I do not intend to say that the story as told by Longfellow is deficient in pathos. No such story could be told by him so as to want it altogether. But the whole tale of John Alden—for he is the hero, and not Miles Standish—is narrated in the language of ordinary life, for which the Latin hexameters are hardly fitted. The history is given with great rapidity, and yet seems to include all that there is to be said. Indeed, the story as a story is admirably complete. "Evangeline" is not complete. It is vague and wandering, and given only in parts, whereas "Miles Standish" is round and finished from beginning to end. The lines I have given above have been selected as being outside the story, rather than a part of it; yet even here the meter hardly comes home to the reader as that which should have been chosen.

He meets the Captain of Plymouth, as Miles Standish is called, and tells him how he has sped in his wooing,—telling him also the question the girl had asked in reply. But the Captain becomes outrageously angry, and upbraids his friend, as he might have done in real life:

> "'. . . John Alden! you have betrayed me!
> Me, Miles Standish, your friend! have supplanted, defrauded, betrayed me!'"

Here I cannot but observe that the dactyls do not trip off the tongue quite so lightly as dactyls should do. Miles Standish insults his friend with bitterest words, and, going off, gives warlike advice to the elder, and people who have sent for him.

On the morrow the Mayflower is to sail on its return journey:

"Out of the sea rose the sun, and the billows rejoiced at his coming;
Beautiful were his feet on the purple tops of the mountains;
Beautiful on the sails of the Mayflower riding at anchor,
Battered and blackened and worn by all the storms of the winter.
Loosely against her masts was hanging and flapping her canvas,
Rent by so many gales, and patched by the hands of the sailors.
Suddenly from her side, as the sun rose over the ocean,
Darted a puff of smoke, and floated seaward; anon rang
Loud over field and forest the cannon's roar, and the echoes
Heard and repeated the sound, the signal-gun of departure!"

John Alden is so broken-hearted between the love of the girl to whom he has been so little like a lover, and the anger of the friend to whom he has been so faithful, that he resolves that he will return home in the Mayflower. But down on the sands he encounters Priscilla—

"Standing dejected among them, unconscious of all that was passing.
Fixed were her eyes upon his, as if she divined his intention,
Fixed with a look so sad, so reproachful, imploring, and patient,
That with a sudden revulsion his heart recoiled from its purpose,
As from the verge of a crag, where one step more is destruction."

He sees two hands in the clouds, one beckoning him back, and the other holding him on to the land of his adoption. He decides to stay. But, in the meantime, the impatient master of the Mayflower is glad to leave a land where there is, as he pithily remarks—

"Short allowance of victual, and plenty of nothing but Gospel!"

The Captain is called out to fight the Indians in protection of the settlement, and this he does with all his old vigor. There is a meeting of the white men and the savages, in which, after a little discourse, the Captain murders one of the Indian leaders because he will not endure the taunts which are addressed to him. He is more unreasonable with Pecknot than he was even with John Alden. But such ways were, I suppose, apt to prevail with Indians, and Miles Standish returns to the village with the head of the chief Wattawamat, whom he had also slain in the encounter:

"Thus the first battle was fought and won by the stalwart Miles Standish."

Meanwhile John Alden had built himself a house, and had made a stall close by for Raghorn, the snow-white steer which had fallen to his share when the cattle were divided, and had put up wooden bars and contrived paper window-panes, as though he were to bring his wife home. And he bethinks himself of the praises of a virtuous woman:

"How the heart of her husband doth safely trust in her always,
How all the days of her life she will do him good and not evil,
How she seeketh the wool and the flax and worketh with gladness,
How she layeth her hand to the spindle and holdeth the distaff,
How she is not afraid of the snow for herself or her household,
Knowing her household are clothed with the scarlet cloth of her weaving!"

But, while he is discoursing with Priscilla, whom, on account of his faith to Miles Standish, he cannot marry, news is suddenly brought in that Miles Standish is dead. The Captain of Plymouth has been killed by a poisoned arrow in an encounter with the Indians. Then John Alden, in a sudden rapture of joy, clasps the motionless form of Priscilla, and, pressing her close to his heart, claims her as his own forever:

"'Those whom the Lord hath united, let no man put them asunder!'"

This, indeed, we are driven to confess, he does with too rapid an anxiety to be happy, considering that he has but that moment heard of the demise of his friend. We are told, indeed, that he does it:

"Wild with excess of sensation, the awful delight of his freedom,
Mingled with pain and regret, unconscious of what he was doing."

Then there comes the wedding-day, on which Alden carries home his bride, sitting on the snow-white steer. And, in order that all things may be made to smile, Miles Standish himself comes back, the rumor of his death having been false; and he makes one pretty speech to Priscilla:

"Gravely, and after the manner of old-fashioned gentry in England,
Something of camp and of court, of town and of country, commingled,
Wishing her joy of her wedding, and loudly lauding her husband.
Then he said, with a smile: 'I should have remembered the adage,—
If you would be well served, you must serve yourself; and moreover,
No man can gather cherries in Kent at the season of Christmas.'"

I must own that "Miles Standish" is not so much to my taste as are "Evangeline" and "Hiawatha," and, to confess the truth, I do not think that the poet gave to it the same amount of labor and thought. He has seemed to take the plot as it came to his hand, perfect in the details of the story as he found it, and has failed to elaborate it or to pare off the harshnesses, and to fit in the more delicate details with all the care that has been given to those other performances. In plot, we regard "Hiawatha" as perfect, the poem telling the story, with its purpose, in such a manner as to bring home to the reader exactly the feeling which the author intended to convey. So in "Miles Standish" is the tale well told. Judging an ordinary tale in the ordinary way, the ordinary critic would find no fault; but there lacks in it a last something of Longfellow's powers of poetry.

But the "Skeleton in Armor," which is a short ballad, lacks it not at all. It is, as a ballad should be, short, concise, perfect, without a word thrown away. Of all modes of poetry the ballad seems to be the easiest; but is, I hold, the most difficult to accomplish. It must have neither beginning nor end, but must rush at once to its story, and leave off as suddenly. And the reader, or hearer, feeling that a demand is made on him for concentrated attention, will, unconsciously, forgive no weakness. In the "Skeleton in Armor" he is called upon to forgive none. The Skeleton begins the story of his life, and tells it all:

> "'Far in the Northern Land
> By the wild Baltic strand,
> I, with my childish hand,
> Tamed the gerfalcon;
> And, with my skates fast-bound,
> Skimmed the half-frozen Sound,
> That the poor whimpering hound
> Trembled to walk on.
> . . . . . .
> "'But when I older grew,
> Joining a corsair's crew,
> O'er the dark sea I flew
> With the marauders.
> Wild was the life we led;
> Many the souls that sped,
> Many the hearts that bled,
> By our stern orders.'"

Hypercriticism would perhaps find fault with the use of the French word "corsair" among those northern seas, but the poet

himself would probably tell us that it had become as general in its way as the congenial term "marauders," which certainly does not offend. The viking goes on with the story of his life till he comes to its love-episode:

> "'Once as I told in glee
> Tales of the stormy sea,
> Soft eyes did gaze on me,
> Burning, yet tender;
> And as the white stars shine
> On the dark Norway pine,
> On that dark heart of mine
> Fell their soft splendor.'"

She was a prince's child, and when he sued for her hand he was discarded. Consequently, after the manner of vikings, he runs off with her. He takes her to sea, and the father follows him. The wind fails them, and they are caught, or nearly so. But he runs the prow of his boat against his father-in-law's ship, and sends it and all that are in it to the bottom. He takes the girl home with him,—to the place he has chosen for a home,—there he builds a tower for her, and she has children; and in the course of time she dies:

> "'Death closed her mild blue eyes.
> Under that tower she lies;
> Ne'er shall the sun arise
> On such another.'"

We believe it to be the case that Longfellow is more extensively read here in England than in his own country. At any rate, I had his own word that it was so perhaps a dozen years ago. However that may have been then, or may be now, I have no doubt that he will be equally read hereafter by all who read the English language. There is about him a clearness in his mode of telling his story, and at the same time, as I have said before, a purity and a pathos in his manner of telling it, which will insure him against oblivion.

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Surplus returned to Policy-holders	1,798,654.86	
Lapsed and surrendered Policies	929,894.25	
TOTAL TO POLICY-HOLDERS		$6,413,695.38
EXPENSES:		
Commissions to Agents	$310,974.81	
Salaries of Officers, Clerks, and all others employed on salary	98,936.54	
Medical Examiners' Fees	11,811.75	
Printing, Advertising, Legal, Real Estate, and all other Expenses	206,048.93	
	$627,772.03	
TAXES	391,207.86	
		$7,432,675.27
BALANCE NET ASSETS, DECEMBER 31, 1880		**$47,833,628.70**

SCHEDULE OF ASSETS.

Loans upon Real Estate, first lien	$18,718,385.49
Loans upon Stocks and Bonds	31,553.28
Premium Notes on Policies in force	3,702,156.82
Cost of Real Estate owned by the Company	12,622,944.42
Cost of United States Registered Bonds	5,004,858.46
Cost of State Bonds	619,900.00
Cost of City Bonds	2,583,506.88
Cost of other Bonds	1,065,875.00
Cost of Bank Stock	110,194.00
Cost of Railroad Stock	26,000.00
Cash in Bank	3,286,819.32
Balance due from agents, secured	61,435.03
	$47,833,628.70

ADD:		
Interest due and accrued	$1,159,251.12	
Rents accrued	30,688.68	
Market value of Stocks and Bonds over cost	430,133.54	
Net premiums in course of collection	NONE.	
Net deferred quarterly and semi-annual premiums	38,927.34	
		$1,659,000.68
GROSS ASSETS, DECEMBER 31, 1880		**$49,492,629.38**
LIABILITIES:		
Amount required to re-insure all outstanding policies, net, assuming 4 per cent. interest	$45,006,472.00	
All other liabilities	1,135,001.93	
		$46,141,473.93
SURPLUS by Connecticut Standard, 4 per cent.		**$3,351,155.45**
SURPLUS by New-York Standard, 4½ per cent., about		**6,500,000.00**

Ratio of expense of management to receipts in 1880..... 7.7 per cent.
Policies in force December 31, 1880, 64,343, insuring $162,105,367.00

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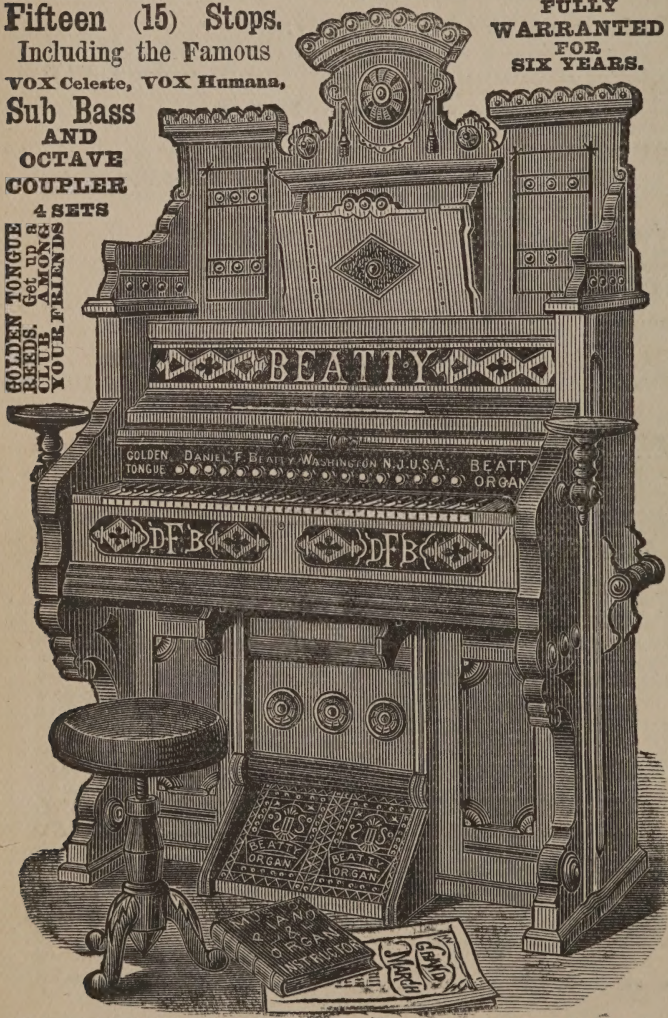

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15 Organs $52.00 - - - each.
20 Organs $50.00 - - - each.
50 Organs $48.00 - - - each.
100 Organs $45.00 - - - each.

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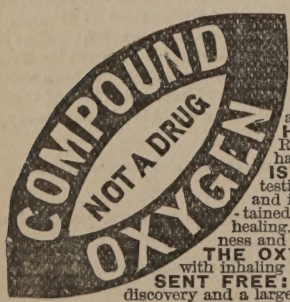

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MAY, 1881.

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NORTH AMERICAN REVIEW.

No. CCXCIV.

MAY, 1881.

CENTRALIZATION IN THE FEDERAL GOVERNMENT.

THE perpetuity of the American Government is an object of supreme concern to every American. This Government took a century and a half to build; and when it was finished, and our fathers, after their long and painful toil, turned to look at the work of their hands, and beheld its massive foundations and its fair proportions, they were wont, in their enthusiasm, to exclaim, *Esto perpetua!* It is for us, their children, to preserve it. To keep it as it was designed, is one of the greatest political problems of our time. There can hardly be a greater, since it affects the welfare not only of all the millions born and to be born between these oceans, but of all elsewhere, who might profit by their example. Why should we, as Americans, desire this perpetuity? Why should others, not our countrymen, desire it? Because, of all the bodies politic that ever existed, this is the only instance of a Federative Union as wide as a continent; and because, more than any other government in the world, it offers an asylum to the people of other lands, and promises to all ample protection with the largest freedom.

By the American Government, I mean that mixed system of national and State organizations which found their last and best expression in the Constitution of the United States. The vital principle of this system is the balancing of the governments,

national and State, in such manner as to hold them forever in equipoise. The annals of the colonies, and of their intercolonial transactions; their joint labors and sacrifices, both before and after their independence; and the history of the Federal Constitution from the first conception to the completion of the great design, are so many testimonies to the gradual unfolding and final development of this principle.

The Declaration of Independence was the joint act of independent States, then first styling themselves the United States of America. The Articles of Confederation, proclaiming on their face that they were articles of confederation and perpetual union, began with declaring that "each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States in Congress assembled." And when, ten years later, "in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty" to themselves and their posterity, the people of the same States established the present Constitution, they provided, not that *all* legislative powers, but that "all legislative powers *herein granted*," should be vested in Congress; then carefully enumerated these powers, under seventeen distinct heads; declared that the States should have a separate and equal representation in the Senate, and should act separately in choosing the President; and finally, that no amendment should deprive any State, without its consent, of its equal suffrage in the Senate. Not content with this, the First Congress under the Constitution proposed ten amendments, preceded by this preamble: "The Conventions of a number of States having, at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, and as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution"; after which preamble, the amendments were specified, and they were all adopted, one of which was the following: "*The powers not delegated* to the United States by the Constitution, nor prohibited by it to the States, *are reserved to the States respectively, or to the people.*" The men who framed this Constitution, they who in the several State conventions ratified it, and they who sat in the First Congress, were persons of as much

learning, experience, sagacity, and probity, as any equal number of persons that have ever lived in the world. They were grave and thoughtful men; they understood the temper and the wants of their own people; their hopes and fears had been tried and chastened in field and council; they had studied the political systems of other countries and ages; and they acted under a sense of the gravest responsibility that could rest upon the human conscience. There sat Washington, Franklin, King, Sherman, Hamilton, Livingston, Morris, Madison, and Pinckney. If they were not able to judge aright, where shall be found those who can?

They were right. They were right for their time; and if, with prophetic vision, they could have looked forward into ours, they would have been more than ever confirmed in their opinion. Each State was then independent of the others; each had its own traditions, wants, and policy. Massachusetts, whose towns had been little republics from the first settlements, would no more have thought of subjecting those towns, for their domestic concerns, to the rule of Virginia, than of sinking Boston in the waters of Massachusetts Bay. New York, which had her feet already planted at the entry of the sea, would as soon have thought of turning the Hudson backward upon the lakes, as of giving over to her sister States the unlimited control of her river valley and her imperial haven; and Virginia, which did more than any other State for the establishment of the Constitution, would have expected the closing of the Chesapeake by a fence of stone, from headland to headland, as soon as the assumption by New York and Massachusetts of the power to regulate the counties and parishes of the old cavalier Commonwealth.

We have now lived nearly a century under this Constitution. Three generations have come and gone since Washington took the oath as first of the Presidents. Is it not time to take soundings that we may see where we are?

We see first that the Federal Government has overshadowed the State governments. In dignity, in honor, in emoluments, the officers of the nation have borne the palm from the officers of the States, however large the functions of the latter, or however high their stations. A State senator of New York has a function more important and a larger constituency than a representative in the Lower House of Congress; yet how few young

men, ambitious of distinction, are to be found who would not prefer the latter! We have even seen governors of States stepping from their executive chambers into Federal post-offices and custom-houses. How different from the time when it was a point of etiquette between Washington, as President of the United States, and Hancock as Governor of the State of Massachusetts, which, both being in Boston, should make the first call on the other. We have now at last seen the legislature of a State thanking the President in the name of its people for appointing one of its citizens to a place in his cabinet!

It is not, however, in forms or in matters of dignity, or honor, or emolument, that the distinction between the national and State governments appears in its strongest contrast. It is in the exercise of substantial power.

We need give but a few examples. A single encroachment submitted to or enforced against resistance is an invitation to other encroachments. Hardly had Washington left the presidency when, on the 14th of July, 1798, a statute was passed by Congress for the punishment of libel upon the Federal Government, either House of Congress, or the President. If this were within the competency of Congress, the punishment of libel upon any officer of the United States would be equally within its competency. Indeed, it is not easy to perceive why Congress might not take upon itself all remedies, criminal and civil, for any wrong done to the good name, person, or property, of any Federal officer, and send the parties before Federal courts for trial. Can there be a doubt that such an assumption of power was never dreamed of by those who framed or those who ratified the Federal Constitution? That statute, by its own limitation, expired with the administration of the elder Adams, and was one of the causes which led to the overthrow of the Federal party at the beginning of the century. The Democratic party then took possession of the Federal Government, and kept it until the younger Adams came into the presidency, in 1824. After him came Jackson for eight years, then Van Buren for four, Harrison and Tyler four, Taylor and Fillmore four, Pierce four, and Buchanan four. The relations between the Federal and State governments during all these periods continued without material change, except in respect of the tariff. Under color of levying customs duties at sea-ports, Congress has taken control of nearly the whole industry of the country. There is not a city in any of

the States, there is not a village along the rivers, and scarce a hamlet among the hills, that does not look to Congress more than to its own legislature to determine the occupations of its people. Mills all over the land are built or left to decay, furnaces are lighted or extinguished, as parties or factions, or the shifting influences of private interests, swing to and fro at Washington. Under color of managing the national finances, Congress has covered the land with national banks, and placed them beyond the State courts or any State control. There are more than two thousand of them already. Under color of establishing post-offices and post-roads, and regulating commerce, Congress has passed a statute which gives to telegraph corporations, created by one State, the power of placing their lines along all post-routes in other States, without their consent and even against their will. Under color of the power to make regulations about the manner of holding elections for representatives, Congress has passed a statute providing for the appointment of supervisors and deputy marshals to attend the places of registry and of voting when representatives are to be chosen, and "to inspect and scrutinize from time to time, and all times on the day of election, the manner in which the voting is done, and the way and method in which the poll-books, registry-lists, and tallies or check-books, whether the same are required by any law of the State, or any State, territorial, or municipal law, are kept"; and to "scrutinize, count, and canvass each ballot in their election district or voting precinct cast, whatever may be the endorsement on the ballot, or in whatever box it may have been placed or found"; to preserve order at the polls, prevent "fraudulent voting," and to arrest persons guilty of it, whether the voting be for State or Federal officers. Under this statute there were more than fifteen thousand supervisors or deputy marshals surrounding the polls at the general election of 1876. And under the same statute, State officers have been punished by Federal courts for violating State laws.

Under color of enforcing the late amendment that no State "shall deny to any person the equal protection of the laws," Congress has authorized the punishment of the judge of a county court in Virginia for not placing colored men on the jury list, though the State legislature had made no discrimination. Under the same pretext, Congress has authorized the removal from a State court, before trial, of an indictment of a

colored person for murder, because in that State white men only are placed on the jury lists. Under color of protecting Federal officers in the discharge of their duties, Congress has authorized the removal from a State court, before trial, of an indictment for murder, on the allegation that the person indicted committed the homicide in the discharge of his duty as a revenue officer.

Worse than all, in flagrant defiance of the Constitution, and against the veto of the President, Congress, in March, 1867, placed the States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas under military rule, reducing them to the condition of subject provinces, opening the way to misgovernment by aliens and thieves beyond the dreams of Roman proconsuls, and then, with a refinement of irony in politics known only to those shameful days, declared that when the people of those States should have adopted new constitutions, and the same should have been approved by Congress, and *the legislatures* elected under them *should have ratified the Fourteenth Amendment, and that amendment should have been ratified by three-fourths of all the States*, then these disfranchised States should be entitled to representation in Congress! That is to say, Virginia, for example, should be treated as a State and not a State at the same time; a State good enough to vote for an amendment of the Constitution, and to bind other States by the vote, but not good enough to vote in the Senate, or to be represented in either House.

The President, in some instances, has outstripped Congress in encroaching upon the rights of the States. Under color of what was called his war-power, he seized and imprisoned citizens of States not in rebellion, their courts being all the while open, and in one instance was about to put three of them to death, which he was prevented from doing only by the Supreme Court of the United States. Under color of his office alone, without any treaty, or any act of Congress, or any judicial process, he seized and delivered up to Spain a Spanish subject, who had sought shelter on our shores; and under color of protecting a State against domestic violence, he turned out one legislature and put in another in three of the States.

Let us pause here to consider whither the legislation thus briefly described would lead us if it were persisted in. Two observations are to be made: one, that the acts are in themselves a displacement of State power far beyond anything written in the early

days of the Constitution, and probably far beyond anything then thought to be possible; and the other, that the theory on which they rest would, if carried out to its logical results, lead to the practical absorption in the central government of all the chief functions of sovereignty. Indeed, it has become fashionable of late to call the power of the States "police power," as if these great commonwealths which, according to the theory, divide the attributes of sovereignty with the United States, and which make most of the rules of property and of conduct under which we live, had been reduced to the condition of a body of police officers! "Police power," as if the making of a will were a function of police! Police power, indeed, of States which are not even permitted to guard their own polls by their own policemen!

I have said that the reasoning which supports the measures before mentioned would justify the virtual absorption of the chief functions of sovereignty. Take, for example, the Legal Tender Act, by which Congress enacted that a mortgage for the payment of ten thousand dollars might be paid, not in dollars, but in government promises to pay dollars, at a time when the promises were worth about a third as much as the dollars, and the Supreme Court sanctioned the enactment, not in the excitement of a war for existence, but in a time of profoundest peace. If the Federal Government may do this, what may it not do? There is no particular sanctity in a government promise; that of any other promisor would be warranted by the Constitution as well; and so it *might* be enacted that a debt could be paid in the promises of a national bank, or of any third person, nay, even those of a debtor himself. Then again, if Congress may remove into a Federal court an indictment against a revenue officer, in order to secure to him a fair trial, why may it not for the same reason provide that he shall not be indicted except in the Federal courts? and if this, why not go a step farther in the same direction, and give Federal officers the right to sue and be sued only in courts of the Union?—which is as much as to say that jurisdiction may be given to the courts of the United States over every suit, civil or criminal, by or against any person holding office under the United States. And, furthermore, if Congress can punish in Federal courts State officers for violating State laws, it may make removal from office a part of the punishment,

and it may punish unofficial citizens of the State for the same offenses; which is as much as to say that Congress may take upon itself the punishment of any offense against State laws. And if the United States may supervise all the details of an election held for different offices, because one of them is Federal, it may take complete control of the whole. At the late election, there were in this city eight ballot-boxes—five for State officers, two for Federal, and one respecting an amendment to the State Constitution. The Federal supervisors and marshals were empowered to examine every ballot in every box, as well those for President, members of Assembly, mayor, aldermen, State and city judges, and for or against the constitutional amendment, as that for members of Congress, to see that all were properly counted and returned, and to arrest for a false count or return, or what they thought to be such. The argument in support of this remarkable stretch of authority is that Congress has been empowered to regulate the manner of holding elections for representatives, though not for the President, and it is thence inferred, that in order that every lawful ballot for a representative in Congress may be counted, Congress may authorize the opening of all the boxes,—as well that for representatives as those for presidential electors, members of Assembly, mayor, and aldermen, state judges and about the constitutional amendment,—the examination and counting of every vote, and the arrest and punishment of any person who may cast any ballot into any box which he had no right to cast. The soundness of this reasoning is denied; but if it were sound, it would none the less show the tendency to centralization, and the danger of what is called a liberal construction of the Constitution. Congress has an undoubted right to collect duties on imports, but it has no right to foster one branch of industry at the expense of another; and when it uses its lawful power to accomplish indirectly what it cannot do directly, it violates the Constitution.

The power to create a Bank of the United States was hotly contested in the early days of the Government, but was finally affirmed by Congress, the President, and the Supreme Court. The result has been not one, but two thousand banks. This is sufficiently startling; but authority to create a corporation as a means of executing the power of Congress being once admitted, and the further authority to reach into and across the States in pursuance of the authority to regulate commerce under them

being also admitted, according to the decision in the Florida telegraph case, it should seem to follow, that Congress may enact a general law for the creation of as many corporations as promoters desire, to facilitate commerce by coastwise steamers, railways, or telegraphs, or may regulate these steamers, railways, and telegraphs itself. In short, it is possible, as we see, so to construe the Constitution of the United States as to reduce the States to insignificance. This is the outcome of the legislation of Congress and the decisions of the Supreme Court since the beginning of the civil war. These decisions, it must not be forgotten, are reasoned out of the doctrine that Congress is *the sole judge* of the means it may use to carry its express powers into effect. There was an expression in one of Marshall's opinions, hereafter quoted, which seemed to impose a very important limitation upon this Congressional discretion, thus: "Should Congress, under the pretext of executing its powers, pass laws for the accomplishment of objects not entrusted to the Government, it would become the painful duty of this tribunal, should a case requiring such a decision come before it, to say that such an act was not the law of the land"; but the words do not seem to have borne much fruit.

Whatever we may think of the soundness of the reasoning by which the various acts already mentioned (and there are others of like character) have been supported, there can be, as has been said, no doubt that they show a strong tendency toward centralization. This is not owing to any material change in the recorded opinions of lawyers and statesmen, respecting the theory of the Government. From first to last these opinions use nearly the same phrases as were used in the old times, however much the conclusions in particular cases may appear to be at variance with the opinions.

No matter how politicians may sneer at State rights, the most authoritative exponents in the later, not less than in the earlier times, even those most inclined to liberal interpretation, have agreed in upholding, theoretically at least, the reserved sovereignty of the States. Thus Chief-Justice Marshall said, in McCullough against Maryland, that

> "No poetical dreamer was ever wild enough to think of breaking down the lines which separate the States, and of compounding the American people into one common mass."

And in another place he said:

"In America the powers of sovereignty are divided between the Government of the Union and those of the States. They are each sovereign, with respect to the objects committed to it, and neither sovereign with respect to the objects committed to the other." Again: "We admit, as all must admit, that the powers of the Government are limited, and that its limits are not to be transcended. But we think the sound construction of the Constitution must allow to the National Legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are Constitutional." And finally: "But, were its necessity less apparent, none can deny its being an appropriate measure; and if it is, the degree of its necessity, as has been very justly observed, is to be discussed in another place. Should Congress, in the execution of its powers, adopt measures which are prohibited by the Constitution . . . But where the law is not prohibited, and is really calculated to effect any of the objects entrusted to the Government, to undertake here to inquire into the degree of its necessity, would be to pass the line which circumscribes the judicial department, and to tread on legislative ground. This court disclaims all pretensions to such a power."

Mr. Justice Nelson, in the case of The Collector against Day, said:

"The general Government and the States, although both exist within the same territorial limits, are separate and distinct sovereignties, acting separately and independently of each other, within their respective spheres. The former, in its appropriate sphere, is supreme; but the States within the limits of their powers not granted, or, in the language of the Tenth Amendment, 'reserved,' are as independent of the general Government as that Government within its sphere is independent of the States."

In the case of Texas against White, Chief-Justice Chase said:

"Not only, therefore, can there be no loss of separate and independent autonomy to the States through their union under the Constitution, but it may be not unreasonably said that the preservation of the States and the maintenance of their governments are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government. The Constitution, in all its provisions, looks to an indestructible Union composed of indestructible States."

In the United States against Cruikshank, the present Chief-Justice said:

"The rights of life and personal liberty are natural rights of man. 'To secure these rights,' says the Declaration of Independence, 'governments are

instituted among men, deriving their just powers from the consent of the governed.' The very highest duty of the States, when they entered into the Union under the Constitution, was to protect all persons within their boundaries in the enjoyment of these 'inalienable rights with which they were endowed by their Creator.' Sovereignty for this purpose rests alone with the States. It is no more the duty, or within the power, of the United States to punish for a conspiracy to falsely imprison or murder, within a State, than it would be to punish for false imprisonment or murder itself."

And in Siebold's case, Mr. Justice Bradley said:

"The true doctrine, as we conceive, is this, that whilst the States are really sovereign as to all matters which have not been granted to the jurisdiction and control of the United States, the Constitution and Constitutional laws of the latter are the supreme law of the land; and when they conflict with the laws of the States, they are of paramount authority and obligation."

If these extracts, given at such length, serve no other purpose, they will at least explain, in official language, the true theory of our government, and, compared with the measures already detailed, will also explain how different from the theory has been the practice. How is this practice to be accounted for? In three words: power without responsibility. By responsibility is, of course, meant accountability to those who are to be affected by the exercise of the power. If there be one political truth more than another taught by history as by reason, it is that responsibility can never, without danger, be separated from power. "Little responsibility, then little power," is the maxim of free States.

We have reduced the responsibility of members of Congress to the minimum. Senators are responsible to their own States, representatives to their respective constituents. Here the responsibility in practice ends. What accountability does a senator from Nevada, for example, feel to the legislature or people of Massachusetts? What does a representative from a Michigan district care for the interests or wishes of a district of Florida, in comparison with the interests or wishes of his own? How, then, in the name of justice, can the senator from Nevada and the representative from Michigan be allowed to participate in the government of Massachusetts and Florida? For no other reason and to no greater extent than there are interests common to the four States, which must, of necessity, be regulated by all of them, and where, if they do not agree, the majority must decide.

These common interests are few in number. They were considered at the formation of the Constitution, and set down in carefully chosen words. Since then, the enormous expansion of our territory has increased the diversities of the different parts. The interests of California are less the interests of Massachusetts now than were the interests of Georgia at the beginning of the century. The separate interests will increase and the common interests diminish in number with every expansion of territory. How little of accountability to the country the members of Congress, in fact, feel, may be judged by the following late examples:

A bill to take from a large part of the country the safeguard of the habeas corpus was defeated only by the most persistent obstruction from the minority in the last days of a Congress. And yet who, of all the members that voted for the infamous bill, lost a reëlection for that reason? Another bill—which, in fact, became a law—took from the Treasury an immense sum, estimated at more than a hundred millions, to pay what were called Arrears of Pensions, but which were not arrears or dues of any kind. Who that voted for this legislative robbery lost by it? While we write, a bill has passed the two Houses appropriating eleven millions for what are called Rivers and Harbors, some of which have no claim to national recognition. Senator Thurman called it a scheme "to reëlect members of Congress." How was it expected to work? A member from a district whose people want employment, and a plentiful disbursement of public money, expects to win popularity and votes by giving them the opportunity. These constituents of his contribute little to the Treasury, but get much out of it. He votes away other people's money, the contributions of other constituencies than his own; but to them he owes no accountability. Of the seventy-six senators, only forty-four voted; and of these, twenty-six Democrats and six Republicans voted for the bill, eight Democrats and four Republicans voted against it, which would leave nine Democrats and twenty-three Republicans who did not vote at all. This lack of responsibility is in the nature of things. There were probably few members of either House who thought that their own constituents would suffer from the measure, and so rebuke them for it.

Senators and representatives feel no accountability to the country at large, because there is none in fact. Each member

stands or falls by his own constituents, and by them alone. Such, at least, is the general feeling. The only way to make that accountability minister to the general good, is to make every measure fall upon the constituents of each member as it falls upon the constituents of others, that is to say, to give him authority to legislate only upon the common concerns of all. It may, of course, sometimes happen that legislation upon these common concerns may not affect all parts of the country in the same way or to the same degree, but that does not change the principle of legislating only upon concerns that are common to all, and in some way affect all.

The American theory of government is self-government. This means that the individual remains his own master in all that concerns only himself. When his actions interfere with the actions of another, the two act together. Whatever may have been the origin of the social compact or body politic, this is the theory on which joint action is founded, whether of two persons or of many. Whatever concerns one alone is for him to do; whatever concerns his neighbor and himself is for the two to do together; and so on through all aggregations of individuals until we arrive at that final organization which we call the State. When that stage is reached, States may unite with other States for the management of common concerns, and so form a central union, federative or national. This does not mean that Massachusetts shall govern South Carolina, nor South Carolina Massachusetts; but that each shall govern itself in all that pertains to itself; and that in matters that pertain to both, the two shall govern both. For, if in a matter that concerned both, the two should not of choice act together, and one should act for both; or if the two, acting separately, should come into collision, and one force the other to yield, the principle of self-government would be lost. The separate concerns of the States are for the States to manage, each by itself: common concerns are for all together, that is, for the United States. This is the theory of American government carried to its logical results. In the smallest political organization,—as, for example, a New England township,—the members vote in person; in the larger townships the members vote by representatives. But the principle of the limitation of power is the same in both. The town Assembly is limited by the statutes of the State; the State Assembly is limited by the State constitution, and the Federal Assembly, by the Federal Constitution.

The interests common to all the States are, as has been already said, few in number. The framers of the Constitution undertook to enumerate them, and the enumeration they agreed upon is fixed in that organic act, there to remain forever, unless changed by amendment. The aim of this instrument was to keep the States at peace with each other, and to present them as one in their relations abroad. General taxation, war, treaties, foreign and inter-State commerce, postal service, bankruptcy, copyright and patent right, naturalization, coinage; these were objects of common concern. To such objects the Federal Government was to be limited. Its founders were sagacious men; they walked in the light of the soundest philosophy; they saw that a republican government could not be maintained over so large a country without a strict limitation of its powers. It has never yet been done; there is no reason to suppose that it ever will be done; there is every reason to suppose that it will not. Our country, at the close of the last century, covered as large a part of the earth's surface as Great Britain and Ireland, Germany, France, and Spain; it is now nearly as large as the whole of Europe. Let us suppose a representative government, with plenary powers over Great Britain and Ireland, France, Spain, Italy, Switzerland, Germany, Belgium, Holland, Denmark, Russia, Austria, Sweden, and Norway, and ask ourselves how long it would probably last. Should we not agree that it would not last a decade?

We hear sometimes of a federation of the world. A closer union of the nations, through some great council, by which international disputes might be settled, and war prevented, is the dream of philanthropists and the hope of the Christian believer. But how could such a consummation be brought to pass? Only by a treaty binding the good faith of the nations to abide by the advice of a consultative body upon a few subjects, neither wounding national susceptibilities nor trenching upon national autonomy. Imagine representatives from the United States, Great Britain, the Germanic Empire, the Austrian double-headed monarchy, the Russian autocracy, and patriarchal China, meeting in one chamber to discuss the affairs of so heterogeneous a constituency. What affairs would they discuss? None but those in which they have a common concern; they would not so much as lay a little finger upon the separate interests of any nation. If ever a scheme of closer union should be brought about (and I am one of those who think it possible to bind the nations together closer

than they have ever yet been bound; the Berlin congress went a long way toward it), it will be through some special organization, having as its vital principle the absolute autonomy of all the nations. If it be possible to agree upon a representative body limited to the consideration of a few subjects of universal concern, and so limited that the boundary can never be overpassed, then, and then only, such a union may be possible.

The parallel between a federation and a constitutional union is of course incomplete. The difference between them lies in the power of the latter to enforce the decisions of the majority. But the principle upon which the harmony of the members depends is the same.

This is a Federal republic. In the late presidential canvass an occasional sign was put up that "This is a nation, not a league." The sign was true in one sense, but not in all. A nation, strictly considered, is a political body, sovereign in all things over all its members. Ours is *not* such a nation; it is sovereign to the foreign world in most things, but even then not in all. It could not cede to Great Britain, for example, a part of Maine without Maine's consent. In our domestic world, it is sovereign only in a few things. In most of the concerns of our daily life, it is not more sovereign over us than is England or France. A fashion is creeping in slowly, and no doubt carelessly, of using the words "United States" as a nominative singular; some persons have been bold enough, indeed, to say "the United States is." This is as bad in grammar as in fact. The Constitution says nothing of the kind: "No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under *them*," is the language of the ninth section of the first article; and "Treason against the United States shall consist only in levying war against *them*, or in adhering to *their* enemies," is that of the third section of the third article. The letter signed by Washington and addressed by the convention to the Continental Congress, inclosing the Constitution, contained this paragraph: "It is obviously impossible in the Federal government of these States to secure all rights of the independent sovereign to each, and yet provide for the interests and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest; the magnitude of the sacrifice must depend as well on the situation and the circumstance as on the object to be attained. It is at all times difficult to draw, with precision, the lines

between those rights which must be surrendered and those which must be reserved." The words "Federal" and "Confederacy," as applied to the Union, were of frequent occurrence in our earlier public documents. Washington used the adjective "federal" to designate the territory belonging to the United States in the District of Columbia; Jefferson spoke of the "establishment of our present Federal Government;" Madison of the "various forms of our extended Confederacy;" John Quincy Adams of the "constitutional power of the Federal Government;" Jackson of the "patronage of the Federal Government;" Van Buren of the "concerns of the whole Confederacy;" Harrison of the "powers which have been granted to the Federal Government;" Tyler of the "office of President of this Confederacy;" Polk of the "safeguard of our Federative compact;" Pierce of the "sole reliance of the Confederacy;" and Buchanan of the "construction of the Federal Constitution."

The strong tide that for twenty years has been setting toward centralization is no doubt due in part to the surges of the civil war. The nation was struggling for life, and those who administered its affairs did not always measure their power by their right. This was deplorable, for the Constitution was made for war as well as peace, and there was never a necessity for stretching its powers beyond the tension which itself allowed. But the civil war is not responsible for all that has happened. A National Bank and a Tariff came before the war; the interference with the elections has come since; the other measures, if they grew out of the war, were continued long after the last gun had been fired. There are causes tending to centralization more permanent than our great conflict of arms.

It must not be forgotten that this is a new form of government, though it has lasted nearly a century, yet that is but a span in the life of a people. Think of it as we may, we cannot help confessing to ourselves that the system under which we live is even yet an experiment. Ours is the only federal republic that ever embraced a continent and governed fifty millions of inhabitants. Never before have so many great and opulent States, with such diversities of interests, been brought together under one national authority. Flanked by an ocean on either side, stretching with Alaska almost from the torrid to the frozen zone, yielding every fruit of the bounteous earth, and displaying the fairest forms of hill and plain, lake and river, it stands a

world in itself, with all its diversities of industrial and social life. The interests of the people in such a country must be as various as the wide and diverse regions they inhabit.

The pressure upon the Federal Government for the exercise of its powers comes from four different quarters: the performance of the natural functions of government, the interests of majorities, the demands of party, and the schemes of monopolists. Against the operation of these causes, what is there to oppose usurpation or to compel moderation? Nothing but the limitations of the Constitution, the resistance of the coördinate departments, and the vigilance of the people.

The limitations of the Constitution are plain enough in themselves. It would be hard to find language more carefully chosen or more easily understood. The framers of the Constitution thought that they had found the means of limiting effectually the powers of Congress, when they had thus enumerated them, and established two coördinate departments—the Executive and Judicial—as a counterpoise to the Legislature. In practice, however, the counterpoise has not proved equal. For this there are two reasons: one, that the presidential veto may be overridden by two-thirds of each House, as, in fact, it has been on the occasions when it was most needed; and the other, that the Supreme Court has either given way before the determined will of Congress, or has so construed the discretion of the Legislature, in the choice of means, as to leave that department of the Government to define and limit its own powers in particulars the most important to the equipoise of the Constitution. Thus, when President Johnson vetoed the Reconstruction bill, it was promptly repassed by more than two-thirds of each House, and he was impeached, and barely escaped with his office, for opposing the will of Congress; and the Supreme Court was prevented from pronouncing its judgment upon the same measure, by the defiant attitude of Congress, and its repeal of the law which gave the court jurisdiction. In another instance, that court was made, by seating two new judges, to reverse its previous decision against the constitutionality of the act which made Government promises to pay equal to payment. It seems, therefore, a vain thing to look to either the President or the Supreme Court for effectual resistance to the determined will of Congress. In theory, indeed, an act of Congress against the Constitution is a nullity. Chief-Justice

Marshall said that long ago, in these memorable words, which form part of his opinion in Marbury against Madison:

"This original and supreme will" [that is, the will of the people] "organizes the government, and assigns to different departments their respective powers. It may either stop here or establish certain limits not to be transcended by those departments. The government of the United States is of the latter description. The powers of the legislature are defined and limited; and that those limits may not be mistaken or forgotten, the Constitution is written. To what purpose are powers limited, and to what purpose is that limitation committed to writing, if these limits may at any time be passed by those intended to be restrained? The distinction between a government with limited and unlimited powers is abolished, if those limits do not confine the persons on whom they are imposed, and if acts prohibited and acts allowed are of equal obligation."

All these limitations and supposed safeguards have not sufficed, however, to defend us against the strong tendencies to centralization, because the all-important qualification, that in the choice of means Congress has in fact discretion the most ample, leaves the legislative department of the Government in possession of a mass of powers, original and incidental, for the safe and wise exercise of which the States and the people have no adequate guaranty but in themselves.

Vigilance is born of intelligence and will. They who exercise it must not only watch, but determine. In this way, and this only, can the tendency to centralization be arrested.

That it must be arrested, if we would preserve our liberties, seems too plain for discussion. If there be any certain conclusion to be drawn from history, it is that a consolidated government cannot be established on so wide a domain, unless it be monarchical. In "Metternich's Memoirs" is a remarkable passage on the condition of Germany after the downfall of Napoleon:

"The idea of the state must rest on the basis of a united sovereignty, whether that of a personal sovereign or that of the sovereignty of the people. The personal sovereign may reign over several countries different in their provincial laws and in their local interior administration. One sovereign people cannot rule over another."

This seems to us the statement of a political principle applicable to men everywhere, and especially to us: "One sovereign people cannot rule over another."

In a public address, several years ago, General Garfield estimated the number of Federal office-holders at more than a

hundred thousand. Our population was then about forty millions, which would place in the Federal service one in every four hundred of all the people. Only a fifth of the persons living are adult men; so that one in eighty of these adults is fastened on the Federal Treasury, and probably every fiftieth family is dependent upon it. Add to this that, according to the prevalent theory, the dependence is precarious, because the troops of office-holders follow the fortunes of their party, taking or losing office as it rises or falls. Is it any wonder that the country is yearly burdened with more patronage, and driven on to the exercise of more power?

The disposition, of course, increases with the indulgence. Every encroachment is a temptation to a new one. How soon successful resistance will come, it is impossible to foretell. Let us hope that it will come by the peaceful exercise of the ballot in the ordinary elections. It may come in the form of a revision of the Federal Constitution, or it may come—which heaven avert—with violent convulsion. One thing appears to be certain, and that is that the country will not be divided. Under some form of government, and with more or less of freedom, the United States will maintain their dominion from sea to sea. If encroachments go on increasing, the pressure upon particular sections will become heavier and heavier: there will be on the one hand a demand for a stronger government to put down resistance, and on the other a demand, in order to protect minorities, for the establishment of some authority which is not controlled by fluctuating assemblies. At least, it may be set down as not consistent with the nature of things and the order of events, that a hundred millions of people, covering twenty-four degrees of latitude and fifty-eight of longitude, with all the diversities of soil, climate, and productions which our country displays, should continue to be governed in all their concerns by an assembly of representatives, who cannot in some way be all reached by all the constituencies.

We have said that the great ends of government are unity and freedom. The former we are sure of; for it does not seem possible that any causes now discernible can divide the American people into two or more republics, nations, confederacies, or other forms of political organization. We are united and shall remain united under some form of government, whatever it may be. Are we as sure of our freedom as of our unity? That depends upon the preservation of the States in the plenitude of their power,

as they stand under the Constitution, nothing added and nothing taken away by unjust interpretation or unlawful force. Security for person and property is more important even than unity. For this security we depend upon the States. To be a State of the American Union is to be sovereign in everything within its own borders, except where the sovereignty in a certain limited number of things has been granted to the common government of all the States. Sovereign States should be kept as a good old-fashioned expression. Long may it live! *State rights* got a bad name because they were pushed to excess—nullification was a folly, and secession was a crime—but because this folly and this crime were committed in the *name* of State rights, it would be folly to infer that the name may not have a good meaning and represent a useful thing. "Confederacy" was a name abhorred when we were fighting the Confederate armies, but we are not now to be frightened by a word. The ceiling of the Representatives' Chamber in the Capitol is divided into panels of glass, through which the sunlight pours into the room, and on which are painted, one after another, the names and escutcheons of the several States whose representatives sit below. There is the emblem of New York and her motto "*Excelsior*," and there the emblem of Virginia and her motto "*Sic Semper Tyrannis*"; Massachusetts, with sword uplifted, writes "*Ense petit placidam sub libertate quietem*"; and Pennsylvania displays her eagle crowned with light, and proclaims "Virtue, Liberty, and Independence." Every escutcheon set above the chamber represents a sovereign State, which has a history, a pride, and a policy of its own. In the same ceiling are vacant panels, left for future States as they are expected to come in long procession. A thoughtful person, looking up at them, cannot but ask himself, Will they ever be filled? That depends on the men who sit beneath, and on the people who send them there.

DAVID DUDLEY FIELD.

THE OLD VERSION AND THE NEW.

KING JAMES'S VERSION.

On the death of Queen Elizabeth, James I., the son of her rival, the unfortunate Queen Mary of Scots, ascended the throne of England. He had been brought up in the rigid school of Scotch Presbyterianism, subscribed the Scotch Confession of Faith drawn up by John Knox, the enemy of his mother, and had called the Anglican liturgy "an ill-said mass in English." But his promotion to the English throne was speedily followed by an abandonment of his Scotch Presbyterianism for Anglican Episcopalianism. The change suited his monarchical and despotic instinct, which found expression in his pet aphorism, "No bishop, no king." "A Scotch presbytery," he said, "agrees as well with monarchy as God and the Devil. Then, Jack, and Tom, and Will, and Dick shall meet and censure me and my council. Therefore, I reiterate my former speech: '*Le roy s'avisera.*'" He was certainly no ordinary man. His reading and writing ranged from the mysteries of predestination to witchcraft and tobacco, and his courtiers lauded him as the Solomon of his age. Archbishop Whitgift said to him at the Hampton Court Conference: "Undoubtedly your Majesty speaks by the special assistance of God's Spirit." In the adulatory address of dedication, the translators of the Bible which unjustly bears his name hail his accession to the throne as the "appearance of the sun in his strength." He was witty, shrewd, and learned, but pedantic, conceited, cowardly, mean, intemperate, and profane, and lacked practical common sense, which, for a ruler especially, is more important than uncommon sense. Henry IV. of France called him "the wisest fool in Christendom." And Macaulay

says that he was stammering, and slobbering, and talking in the style alternately of a buffoon and of a pedagogue. He reduced England from a monarchy of the first rank, which it had attained under Elizabeth, to a secondary order, and introduced the despotic, hypocritical, and semi-popish succession of the four Stuarts, which provoked the Puritan rebellion, and indirectly led to the colonization of New England and the triumph of toleration in old England. Macaulay says that England "owes more to the weaknesses and meannesses of James I. than to the wisdom and courage of much better sovereigns."

So we may say that to the vanity, rather than the wisdom and foresight of this monarch, we owe the best popular translation of the Bible which England or any other country ever possessed. He suggested it, or rather approved of the suggestion, which came from a Puritan divine, and appointed a commission for the translation, which still bears his name. But that is all; he never spent a penny on the work, he never owned or authorized it, and left it to its natural fate. For more than two hundred and fifty years the English-speaking world has been drinking the water of life "from the jaw-bones of a royal jackass." Fortunately, the connection of this noble work with James is purely nominal, and even that connection has long since been dropped from the American editions by the omission of the dedication "to the Most High and Mighty Prince James, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, etc."

The authorized English version, so called,—although it was never properly authorized either by king, or parliament, or convocation, but simply by usage,—had its birth in the Hampton Court Conference, held in January, 1604. In that noble palace, built nearly a hundred years before by Cardinal Wolsey, on the banks of the Thames, and presented to Henry VIII., there assembled in the presence of King James, and at his invitation, Archbishop Whitgift of Canterbury, Bishop Bancroft of London, seven other bishops and eight deans, on the part of the conservative conformists, and four leaders of the progressive Puritan party, with the learned Dr. John Reynolds of Oxford, to confer about the burning questions which agitated the then undivided Church of England. The king acted both as moderator and judge, and lost no chance to display his learning and wit during the debate. He rudely rejected every petition of the Puritans,

using as his final argument: "I will make them conform themselves, or else I will harry them out of the land, or else do worse." By doing worse, he meant, "just hang them, that is all." This was his short method with dissenters.

In one point, however, he yielded to the obnoxious Puritans, notwithstanding the protest of the bishops. This was the revision of the Bishops' Bible, which had, from Queen Elizabeth's time, been used in all the churches of England, while the Geneva Bible of 1560 was the favorite version of the common people in their families. The suggestion came from Dr. Reynolds and led to an interesting debate, which we will give in the words of Thomas Fuller ("Church History of Britain," Book x. Sec. 1):

"Dr. Reynolds:—May your Majesty be pleased that the Bible be new translated, such as are extant not answering the original.

"And he instanced three particulars: Gal. iv. 25, in the original, συστοικεῖ, is ill translated, 'bordereth.' Psalm cv. 28, in the original, 'They were not disobedient,' is ill translated, 'They were not obedient.' Psalm cvi. 30, in the original, 'Phinehas executed judgment,' is ill translated, 'Phinehas prayed.'

"Bishop of London:—If every man's humor might be followed, there would be no end of translating.

"His Majesty:—I profess I could never yet see a Bible well translated in English; but I think that, of all, that of Geneva is the worst. I wish some special pains were taken for a uniform translation; which should be done by the best learned in both universities, then reviewed by the bishops, presented to the Privy Council, lastly, ratified by royal authority, to be read in the whole church, and no other.

"Bishop of London:—But it is fit that no marginal notes should be added thereunto.

"His Majesty:—That caveat is well put in; for in the Geneva translation, some notes are partial, untrue, seditious, and savoring of traitorous conceits: As when from Exodus i. 19, disobedience to kings is allowed in a marginal note; and, 2 Chron. xv. 16, King Asa taxed in the note for only *deposing* his mother for idolatry, and not *killing* her. To conclude this point: let errors in the matter of faith be amended, and indifferent things be interpreted, and a gloss added unto them. For as Bartolus *de Regno* saith, that 'a king with some weakness is better than still a change'; so rather a church with some faults than an innovation. And surely if these were the greatest matters that grieved you, I need not have been troubled with such importunate complaints."

Dr. Reynolds, the real mover of the enterprise, is described by Anthony Wood as a prodigious scholar, who "had turned over all writers, profane, ecclesiastical, and divine, all the councils, fathers, and histories of the church." He was commissioned

as one of the translators of the company which had in charge the prophetical books of the Old Testament, but he died in May, 1607, four years before the publication of the work.

The king was not slow in making preparations. In July of the same year he commissioned forty-four dignitaries and scholars, who had been selected by some unknown but, no doubt, competent authority, to carry out the revision, and directed Bancroft, who in the meantime had become Archbishop of Canterbury, to make provision for the compensation of the translators by church preferment. He divided them into six classes, who were to meet at Westminster (London), Cambridge, and Oxford, two classes in each place. The original Scriptures, including the Apocrypha, were in like manner divided into six portions, one of which was assigned to each class for translation. The following rules, prescribed by the king, were transmitted to the translators:

"1. The ordinary Bible read in the church, commonly called the Bishops' Bible, to be followed, and as little altered as the original will permit.

"2. The names of the prophets and the holy writers, with the other names in the text, to be retained, as near as may be, accordingly as they are vulgarly used.

"3. The old ecclesiastical words to be kept, as the word *church*, not to be translated *congregation*.

"4. When any word hath divers significations, that to be kept which hath been most commonly used by the most eminent fathers, being agreeable to the propriety of the place and the analogies of faith.

"5. The division of chapters to be altered either not at all or as little as may be, if necessity so require.

"6. No marginal notes at all to be affixed, but only for the explanation of the Hebrew or Greek words, which cannot, without some circumlocution, so briefly and fitly be expressed in the text.

"7. Such quotations of places to be marginally set down as shall serve for the fit reference of one Scripture to another.

"8. Every particular man of each company to take the same chapter or chapters; and, having translated or amended them severally by himself where he thinks good, all to meet together to confirm what they have done and agree for their part what shall stand.

"9. As any one company hath dispatched any one book in this manner, they shall send it to the rest, to be considered of seriously and judiciously; for his Majesty is very careful in this point.

"10. If any company, upon the review of the book so sent, shall doubt or differ upon any places, to send them word thereof, to note the places, and

therewithall to send their reasons ; to which if they consent not, the difference to be compounded at the general meeting, which is to be of the chief persons of each company, at the end of the work.

"11. When any place of special obscurity is doubted of, letters to be directed by authority to send to any learned in the land for his judgment in such a place.

"12. Letters to be sent from every bishop to the rest of his clergy, admonishing them of this translation in hand, and to move and charge as many as, being skillful in the tongues, have taken pains in that kind, to send their particular observations to the company, either at Westminster, Cambridge, or Oxford, according as it was directed before in the King's letter to the archbishop.

"13. The directors in each company to be the Deans of Westminster and Chester, for Westminster, and the King's professors in Hebrew and Greek in the two universities.

"14. These translations to be used when they agree better with the text than the Bishops' Bible: Tyndale's, Coverdale's, Matthew's [Rogers's], Whitchurch's [Cranmer's], Geneva.

"15. By a later rule three or four of the most ancient and grave divines, in either of the universities, not employed in translating, to be assigned to be overseers of the translation, for the better observation of the fourth rule."

The actual number of translators was only forty-seven. The remaining seven may have died or resigned. The active members were, no doubt, the best scholars of England at that time, as is very evident from the result. Yet most of them are entirely forgotten: they live only in their work. The same may be the fate of the new revisers. The work is far more important than the workmen.

The translation, or revision rather, was finished and published in 1611, and thus welcomed by Fuller (iii. 274):

"And now, after long expectation and great desire, came forth the new translation of the Bible (most beautifully printed), by a select and competent number of divines, appointed for that purpose; not being too many, lest one should trouble another; and yet many, lest, in any, things might haply escape them: who, neither coveting praise for expedition, nor fearing reproach for slackness (seeing, in a business of moment, none deserve blame for convenient slowness), had expended almost three years in the work, not only examining the channels by the fountain, translations with the original, which was absolutely necessary; but also comparing channels with channels, which was abundantly useful, in the Spanish, Italian, French, and Dutch languages. So that their industry, skillfulness, piety, and discretion, have herein bound

the church unto them in a debt of special remembrance and thankfulness. These with Jacob, 'rolled away the stone from the mouth of the well' of life, Genesis xxix. 10; so that now even Rachels, weak women, may freely come, both to drink themselves, and water the flocks of their families at the same."

We bestow the highest praise upon the authorized version when we say that it is an idiomatic English reproduction of the Hebrew and Greek Scriptures, and reads like an original work. The strongest proof of its excellency is its universal adoption and use for more than two hundred and fifty years by all the various denominations and sects into which English and American Protestant Christendom is divided. It is the common bond of union between them all.

In properly estimating King James's version, however, we must not forget its defects, which are numerous and serious. Admirable as it is for popular and practical purposes, it is full of minor errors, inaccuracies, and inconsistencies, if tested by the standards of modern Greek and Hebrew scholarship. The forty-seven revisers are not to be blamed for this. They knew the ancient languages well enough to read them fluently and translate from them idiomatically; but they had a very imperfect apparatus of grammars and dictionaries. The niceties and shades of those languages could not be appreciated. The departures in the use of the article are so innumerable, and the neglect of the Greek tenses (the aorist, imperfect, and perfect) so constant and arbitrary, that they seem to have translated from the Latin Vulgate rather than from the Greek. Moreover, a vast amount of philological, archæological, geographical, and historical knowledge has accumulated within the last two hundred and fifty years, but more especially during the present generation, which can be utilized for the proper understanding of the Bible, and which is indisputably necessary for an accurate translation.

THE NEW REVISION.

THESE and other considerations have resulted at last in the resumption of the work of revision in the year 1870, by the combined labor of Biblical scholars from all the leading Protestant denominations of Great Britain and the United States. The British Committee and the American Committee are divided into

two companies, one for the Old and one for the New Testament, and each company acts as a unit, which secures greater harmony and consistency than the system adopted by King James. The New Testament was completed at the close of last year, just five hundred years after Wiclif's Bible, and will be published in the month of May, simultaneously in England, Scotland, America, and Australia. In England, it will be published in various sizes and at various prices by the University Presses of Oxford and Cambridge, which have always had the monopoly of Bible printing. In this country, the publication is left free like that of the authorized version, but, of course, with all the risk of variations and mutilations to which irresponsible reprints are subject. The Old Testament will be finished in two years.

The following are the rules of the Anglo-American revision, which it is interesting to compare with those prescribed by King James:

"1. To introduce as few alterations as possible into the text of the authorized version consistently with faithfulness.

"2. To limit, as far as possible, the expression of such alterations to the language of the authorized or earlier versions.

"3. Each company to go twice over the portion to be revised, once provisionally, the second time finally.

"4. That the text to be adopted be that for which the evidence is decidedly preponderating; and that when the text so adopted differs from that from which the authorized version was made, the alteration be indicated in the margin.

"5. To make or retain no change in the text, on the second final revision by each company, except two-thirds of those present approve of the same; but on the first revision to decide by simple majorities.

"6. In every case of proposed alteration that may have given rise to discussion, to defer the voting thereon till the next meeting, whensoever the same shall be required by one-third of those present at the meeting, such intended vote to be announced in the notice for the next meeting.

"7. To revise the headings of chapters, pages, paragraphs, italics, and punctuation.

"8. To refer, on the part of each company, when considered desirable, to divines, scholars, and literary men, whether at home or abroad, for their opinions."

The English Committee began actual work in May, 1870, and the American Committee, in coöperation with the English, in

October, 1872, but the latter was organized in 1871 by invitation of the former. Both committees embraced in all one hundred and one members; but of these, a number died or resigned during the last ten years. The present number of active members is seventy-nine, of whom fifty-two belong to the English and twenty-seven to the American Committee.

KING JAMES'S VERSION AND THE NEW REVISION COMPARED.

We now proceed to state the points of agreement and difference between King James's version and the Anglo-American revision:

First. Both are not new versions, but revisions of preceding versions, each being based chiefly upon its immediate predecessor in authorized use, and retaining substantially the same kind of English, so as to keep up the continuity of tradition and the bond of union.

Second. Both are intended for popular use in churches and families. They employ the common, yet noble and dignified language of the people, as the sacred writers did. There is a consecrated Bible idiom which differs as much from the scientific language of scholars as from the vulgar language of the street. It does not either fly too high for the reach of the many, nor crawl on the dust.

Third. Both represent the best Biblical scholarship of the age in which they were made.

Fourth. King James's version, although suggested by an individual scholar (Dr. Reynolds), was undertaken and carried on by royal authority, but unaided by the royal purse and the royal seal of approval. The new revision originated in the head and heart of the Church of England, the Convocation of Canterbury, and is carried on by Biblical scholars, independent of government aid or government sanction. The one represents the Erastian principle of state control, the latter the self-government of the church.

Fifth. The old version was made by scholars of the one undivided Church of England, the new by scholars of all denominations which have since sprung from it and use the same Bible.

Sixth. The old version is the sole product of old England, the new is the joint product of both English-speaking nations. In England, very properly, the Episcopal Church takes the lead; in

the American Committee, the various leading denominations are equally represented, according to their numerical and moral strength and scholastic standing.

Seventh. The new revision, while retaining the idiom and vocabulary of the old, including its innocent and intelligible archaisms, is yet so far adapted to the present state of the English language as to remove obsolete or misleading words and phrases, such as *prevent* (for precede), *let* (for hinder), to *fetch a compass* (for to go round), *conversation* (for conduct), *by and by* (for immediately), *carriages* (for baggage), etc., etc.

Eighth. The old version represents the *textus receptus*, that is, a comparatively late, mediæval, and corrupt text, derived from a few cursive manuscripts, and published by Erasmus, Stephens, and Theodor Beza. The new revision is based upon the oldest attainable text of the best uncial manuscripts (as Codex Vaticanus and Codex Sinaiticus), the oldest versions (especially the Latin and Syriac), and the quotations of the oldest fathers (as Jerome, Origen, Tertullian, Irenæus), and digested with immense care and industry in the text and apparatus of the best critical editors of modern times (as Lachmann, Tischendorf, Tregelles, Westcott, and Hort). This older text has been more recently brought to light by remarkable discoveries and researches, and is upon the whole purer, simpler, and stronger than the *textus receptus*, but will not change a single article of faith or precept of duty.

Ninth. The new revision represents the latest stage of Biblical philology, criticism, and archæology, and is far more accurate and consistent, though, perhaps in some cases, at a sacrifice of the rhythm of the old version. The improvements in this respect are innumerable and occur in every chapter, although the ordinary reader may scarcely observe them.

Tenth. The new revision greatly reduces the number of italics or interpolations of the old version (which are mostly useless or misleading), and substitutes a natural arrangement by sections for the artificial versicular division (which dates from Stephens's edition of 1551), although the popular division of chapters and verses is, for convenience' sake, retained in the margin.

All these points might be amply illustrated by examples. But, as the revised New Testament has not yet been published, it would be improper to anticipate it by indicating the changes actually made. The object of this article is simply to state the

relation of the new revision to the authorized version, and the general principles of the revision, and thus to prepare the reader for an intelligent judgment of the work itself, which will be in the hands of the public in a few days.

The scholars of the two committees have done their work faithfully and finally, and retire from the field. It is now for the Christian public of England and America to pronounce its verdict on the revision, and to decide whether or not it shall take the place of the old version in the churches, schools, and families of the English-speaking world.

PHILIP SCHAFF.

THE NEEDS OF THE SUPREME COURT.

DURING the last twelve months the country has passed through the struggle and intense excitement of a warmly contested Presidential election. The popular mind has been intent upon one idea, and absorbed in a single purpose. But the struggle has come to an end, a new administration has been installed in office, and it may now be expected that party excitement will die away, that calmer counsels will prevail, and that men will be better able to consider wisely the things that concern all parties alike. It is a good time, therefore, to call attention to subjects of pressing necessity,—subjects in which the Government and all our people have a common interest. Among these there is no one of greater importance, or which more urgently demands public attention and judicious action, than the present condition and necessities of the Supreme Court of the United States.

In 1801, when John Marshall was appointed Chief Justice of that court, the number of cases brought into it for adjudication was only ten. The entire number during the five next following years, including both writs of error and appeals, was only one hundred and twenty, or an average of twenty-four for each year. Thenceforward the business of the court increased slowly until, in the period between 1826 and 1830, the aggregate number of cases brought into it was two hundred and eighty-nine,—the average being about fifty-eight a year. In 1836, when Roger B. Taney succeeded Marshall as Chief Justice, the number was only thirty-seven. From 1830 to 1850, the increase was also very gradual. Within the five years ending with 1850, the number of cases brought into the court, including those docketed and dismissed without argument, was three hundred and fifty-seven, or an average of seventy-one each year. The court was

then able to dispose of its entire docket during a session of three months. But, since the year 1850, the increase has been much more rapid. Within the five years ending with 1880, the number of new cases has been nineteen hundred and fifty-five, averaging more than three hundred and ninety-one each year. This exhibits, certainly, a very remarkable increase, serious in its consequences.

The causes which have given rise to it are numerous. Apart from the growth of our population and wealth, and from the amazing extension of our inhabited territory within the last thirty years (which alone might have been expected to increase greatly the business of the court), the questions which grew out of the civil war, out of the thirteenth, fourteenth, and fifteenth amendments of the Constitution, and out of the reconstruction statutes, have in large numbers come up for adjudication. The annexation of Texas, the Mexican war, and the acquisition of Mexican territory, have also contributed greatly to swell the number. It is true that most of the controversies that had their origin in these causes have, probably, been determined; and it may, perhaps, be anticipated that similar controversies will not hereafter, in so great numbers, find their way into the Federal courts, though, doubtless, some will, during many years to come. But there are other causes for the increase in the business of the Supreme Court, which may be expected to continue operative hereafter. Among these is the discovery of mines, with the great and growing extent of mining interests. So, also, the enormous development of railroad interests within the last thirty years, the railroads overleaping State lines, and absorbing largely the transportation and property of the country. The constitution of the Court of Claims, in which suits may be brought directly against the Government,—suits removable by appeals into the Supreme Court,—is another fruitful cause. So, also, is the organization of so many territorial courts, the judgments of which are necessarily reviewable in the Supreme Court. All these are permanent sources of increase in the business of that court.

There are still other prolific causes constantly operating in the same direction. Since 1850, Congress, by numerous acts, has greatly enlarged the jurisdiction of the Federal circuit courts. Additional provisions have been made for the removal into them of cases pending in State courts, and, as a consequence, such

removals are much more numerous than they formerly were. Through the circuit courts the cases are brought into the Supreme Court for final adjudication.

Jurisdiction has also been given to the Federal circuit courts of suits brought by or against national banking associations, and of suits brought on account of alleged violations of inhibitions contained in the recent constitutional amendments. These causes, combined with others that might be mentioned, have immensely magnified the business of the Supreme Court, and they promise a steadily growing increase hereafter, in the number and variety of its cases.

It is not, however, so much with the causes that have operated to swell the calendar of the court to its present unwieldy dimensions that it is proposed to deal, as with the fact itself of the great growth of business therein, and the embarrassments now felt in consequence thereof. The business of the court has reached such dimensions that relief is indispensable. Notwithstanding the utmost efforts of the judges, though, in addition to their circuit-court duties, they sit in bank seven months of each year, instead of three as formerly, though for years past, as a rule, they work from an early hour in the morning to a late hour at night, not less than from eight to twelve hours a day, they have not been able to hear and decide the cases upon their argument list, nor even to prevent a steady accumulation of undecided cases from term to term. When the court rises (usually in May) and the judges leave for their circuits, there is always a greater number of *remanets* than there was at the close of the term in the next preceding year. The number of cases set down for argument at the October sessions of 1880 was eleven hundred and fifty-two. It will be larger at the October sessions of this year. The consequences of this are obvious. Cases cannot be heard within less than from two and a half to three years after they have been brought into the court. Suitors are thus unreasonably delayed, and there is some foundation for the complaint, now often heard, that justice is practically denied. The public questions, *i. e.*, those in which both the Government and private individuals are interested, those involving the validity or construction of Federal statutes, and those which relate to alleged conflicts between the Constitution and State laws, encounter delays, embarrassing and hurtful to the public interests. They necessarily remain long undecided.

These are great evils, but they are not attributable to any fault of this court. No one has ever complained that the judges are idlers, or that they have not, to the full extent of their power, performed their whole duty. It should be observed that, in estimating the burden imposed upon them, the number of cases that come under their consideration is not alone to be regarded. The nature of the cases is, at least, equally to be weighed. Into some of the State courts of last resort there are as many cases brought annually, by writs of error, or appeal, or motions for new trials, as find their way into the Supreme Court of the United States, but they are far less varied in character. The State courts have one system of law to administer—a system with which the judges of those courts may be presumed to have been familiar during all their professional lives. Not so with the Supreme Court of the United States. The cases in that court come from thirty-eight States, eight territories, and the District of Columbia, each having a system of its own. The laws of these States respectively are required to be rules of decision in the Federal courts, in trials at law. There are, therefore, forty-seven different systems of law which the Supreme Court is called upon to administer in part. Besides these, in many cases, French, Spanish, or Mexican law, or the law of the sea, are to be understood and applied. The interpretation and effect of treaties, and the law of nations, are also to be considered.

It is easy to see, therefore, that the relief which the court needs cannot come from itself. If found anywhere, it must come from the action of Congress. What that relief should be, or rather by what arrangement it can be obtained, is a subject which, during the last three or four years, has attracted public thought to some extent, though not as much as its pressing importance demands. It is evident that what is needed is more than a temporary expedient. If the organization and jurisdiction of the court are to remain the same as they now are, and if there be no change in the classes of cases which it may be required to hear and decide, its business may be expected to increase hereafter, rather than diminish. It must grow with the growth of the country in population, industry, and wealth. It must grow with the admission into the Union of every new State, and with the consequent establishment of additional circuit courts. There is no probability that the jurisdiction of the Federal courts will ever be less than it now is. Congress has

not yet conferred upon them all the jurisdiction that the Constitution warrants, and for years there has been a pressure for a wider jurisdiction than that which has hitherto been given—a pressure which in some quarters contends even for giving to the Supreme Court ultimate cognizance of large classes of criminal cases—a jurisdiction which, if conferred, would completely swamp it. What is needed, therefore, is some legislation that will diminish the number of cases that come into the court to such an extent that it may be able to hear and determine within a reasonable time everything brought before it for decision, while at the same time equal and exact justice shall be accorded to all litigants. It must be admitted that for devising such a scheme great wisdom and caution are needed, but such an arrangement, it is believed, is possible.

Several plans have been suggested. Among them is one that proposes only an increase in the number of the judges. The present number is nine, and the proposition is to enlarge it to twelve. But to those who are acquainted with the court and its duties, it is very obvious that such a change in its organization would not relieve it, or lessen the embarrassment under which it now labors. An addition to the number of judges would indeed diminish the number of opinions which each judge is required to write. To that extent it would afford personal relief, but that is comparatively a small matter. It is not in the preparation of opinions that the chief labor of the court consists. It is in the examination of the records, after the argument has closed, in the analysis of the cases, in the investigation of authorities, in the formation of judgments, and in the ascertainment of the reasons upon which the judgments should rest. Whatever may be the practice in some State courts, in the Supreme Court of the United States all this must be done by each judge in every case. When done, the judges come together in conference, compare their views, discuss differences, and endeavor to bring their minds into harmony with each other. This is done before any conclusion is reached, and before any judgment can be delivered, or any opinion can be prepared. If the judges are, as they should be, not merely men of learning, but independent thinkers, it must often be found that there are great differences of opinion among them. They may not understand the facts of a case alike. One may attach greater importance to some of the evidence than others are willing to accord to it. One may think

the case governed by a legal principle which others regard as inapplicable to it. And even when there is no doubt what judgment should be given, there is often great diversity of opinion respecting the reasons which should be assigned for it. Just here is where the severest labor of the judges is found. The diverse views of the judges, as has been said, are brought into conference, and made the subjects of discussion. Conflicting opinions are there to be harmonized, if possible, and a common conclusion is to be reached. This is often a difficult task. Discussions in conference are, in some cases, long protracted in the court as it now is. What if the court were enlarged? It is needless to say that it would require more time to bring twelve minds that are trained to think for themselves to a common conclusion than it now requires to harmonize the opinions of nine. A simple increase in the number of the judges, therefore, instead of facilitating the dispatch of business, would tend to retard it, without materially diminishing the labor of the several members of the court. That it would not add to the number of cases that are now heard and decided is sufficiently manifest. Twelve judges sitting in bank can hear no greater number of cases argued than can nine, and of course, they can decide no more. Upon the whole, then, the effect of such an addition would be to render the court more cumbrous, without increasing the value of its judgments, and without tending in the slightest degree to furnish relief from the pressure now upon it.

Another plan has been proposed. It is to add twelve justices to the number of which the court is now composed, making the entire number twenty-one, and dividing them into sections of seven each, thus practically constituting three courts. The plan proposes that there shall be assigned to each section, as near as may be, an equal share of the business of the entire court, in such a manner, however, that particular classes of cases shall be given to one section, and other classes to the other sections severally, saving only that records which require a construction of the Constitution or a statute of the United States, or of a treaty therewith, and causes removed by writ of error from the highest court of any State, shall be considered by the whole court in general session. Under this plan, each section or division is to sit by itself, and hear argument upon the cases assigned to it, pronouncing judgments thereon, though the judgments are to be reported to the

full bench and there made final. This is substantially the re-organization proposed in a bill introduced by Mr. Manning, of Mississippi, into the House of Representatives on the 26th of January, 1880, and referred to the judiciary committee, from which no report has yet been made. The bill provides that if all, or six-sevenths, of the justices assigned to the division before which a case, or cause, is argued concur in the judgment thereon, such judgment, when reported to the full bench, shall be final, and not reviewable; but that if less than six-sevenths of the members of the division concur in the judgment, the case may be reheard in another division. If the judgments of the two divisions do not agree, the case may be again heard and adjudicated in the third division, and, at the discretion of the court, the cause may be reheard by all the justices in general session.

The objections to such a scheme as this are too many and too obvious to admit of its finding many advocates. With the provisions for rehearing the cases in the several divisions of the court, and for the final entry of the judgments, it may be doubted whether it would accelerate the disposition of the business, or, in any considerable degree, relieve the court from the crushing pressure now upon it. And with or without those provisions, the objections to the scheme are of the gravest character. Dividing the court into sections, each having power to hear cases and enter judgments unreviewable by any other tribunal, is, in effect, making three courts of last resort—three Supreme Courts of the United States. If not an infraction of the Constitution, which vests the judicial power in *one* Supreme Court (contemplating but one), and in such inferior courts as the Congress may from time to time ordain and establish, it is marvelously like an evasion of it. But without enlarging upon this thought (which, nevertheless, is worthy of serious consideration), it is obvious that the judgments of a section of the court would not command the confidence of the public, or of suitors, equally with the judgments of the entire court. They would not be the result of a conference of all the judges, and defeated parties would be apt to think that if their cases had been heard in another section, or by all the judges in the full court, the result would have been different. In the nature of things, a party whose case has had the consultation and conclusions of all the members of a court, will be more ready to acquiesce in a judgment against him than

he would be if he has had the opinion of only a part. And this lessened confidence in the court's judgments would not be confined to those who may be suitors, or parties litigant. It would extend throughout the entire public. It need not be said that this would be a great calamity. The usefulness of the Supreme Court is directly proportioned to the confidence which is felt in its judgments. Hitherto they have commanded the respect of the whole country. This is due, in part, to the fact that they are the pronounced conclusions of one great court, having large jurisdiction, and giving undivided attention to the matters that come under its cognizance. Any scheme or device that tends to diminish respect for the court, or to lower the estimate of its judgments, would impair its usefulness, and detract from the power which the highest interests of the country require it should exert.

The confidence now reposed in the court would also be endangered by the probable want of harmony in the opinions and judgments of the different sections. It cannot be expected that no diversity of decision would occur, or that doctrines would not be announced in one section which would not be accepted in the others. All experience has shown that the decisions of two courts of last resort, each administering the same system of law, even though a single system, do not always harmonize with each other. This appeared in the English superior courts which had concurrent jurisdiction, before the recent supreme court judicature acts, though the evil was mitigated by the final review of the House of Lords. It was shown in New York when there were in existence in that State, at one time, a court of appeals and a commission of appeals. The danger would be greater in the Federal Supreme Court, where numerous systems of law come under consideration, and where the laws of so many States are to be administered. And though the danger might be lessened by the allotment of particular classes of cases to the several sections, it would not cease to exist. There are numerous legal rules and principles that are common to all classes of cases, and no distribution could be made which would not require in each section the selection, assertion, and application of those principles.

There is still another objection to this plan of re-organization. It is that it commits to a court consisting of twenty-one justices the decision of all cases involving the construction of the Federal

Constitution, treaties, and statutes, and of all cases brought by writ of error to the highest court of any State. This is the most important function of the court, which, under any arrangement that may be made, cannot be disregarded with safety. To perform it well requires the highest learning and ability, with the most careful and conscientious attention of every justice. For such a duty, a court so large is not the best fitted. Its deliberations would be too much like those of a town meeting. A sense of personal responsibility is sometimes lost when an individual is associated in action with many others. And the results of observation certainly are, that the ability and efficiency of a court are greatest when the number of its judges is not large.

Another and less objectionable plan has been proposed, which, it is believed, would effectually relieve the Supreme Court, and enable it to answer all the purposes of its creation, while, at the same time, it would afford a much-needed relief to the several circuit courts, and insure generally a speedy and correct administration of justice. It is the establishment of a court of appeals in each of the nine circuits into which the country is divided—a court intermediate between the Supreme Court and the circuit courts. The details of the plan, as they have been proposed, are various. They all contemplate, however, having the new courts constituted, either entirely of the Supreme Court justice assigned to the circuit and two or three circuit judges, with, perhaps, some district judges, or of circuit judges alone, or of circuit judges associated with some district judges. The plan further contemplates that appeals may be taken to this intermediate court from the circuit courts in all cases proper for appeals, and that writs of error may be sent from it to these courts in proper cases for such writs; but that no appeal shall lie from any circuit court to the Supreme Court, nor any writ of error be sent from the Supreme Court to any circuit court, except in cases hereafter to be noticed. Judgments or decrees in the Court of Appeals are to be reviewable in the Supreme Court only when the amount in controversy in the case exceeds the sum of ten thousand dollars, or when the case requires the construction of the Constitution, or a treaty, or a statute of the United States, or when the court shall certify that the adjudication involves a legal question of sufficient general or public importance to make it advisable that the final decision

should be made by the Supreme Court, or where a writ of error, or an appeal, may be specially allowed by a justice of that court. Patent and copyright cases, also, without regard to the sum in controversy, by the plan suggested, are to be reviewable, as now, in the Supreme Court, and cases from the territorial courts are to be reviewable as now. Writs of error also are to be sent, as now, directly from the Supreme Court to the highest courts of the States in cases where, by the Constitution and laws of the United States, the judgments of those courts are reviewable in the Federal Supreme Court.

The details of this scheme may not have been sufficiently digested, but its outlines are enough to enable those who are acquainted with the embarrassments of the Supreme Court, and with the inadequate provision now existing for the administration of justice in the circuits, to form some rational estimate of its value. It is quite certain that, if adopted, it would bring speedy and permanent relief to the Supreme Court, without detracting at all from its power to perform all the functions for which it was created. The court would continue to be, as now, the final interpreter of the Constitution, treaties, and statutes of the United States, and the protector of all rights held under them. But the judgments of the intermediate courts would be final in a vast number of cases which now find their way directly into the Supreme Court, greatly encumbering its docket, though they present no questions within exclusively Federal jurisdiction. At the same time no injustice would be done to suitors. By far the largest number of cases which are tried in the circuit courts come into those courts because the parties are citizens of different States, or one of them is an alien. They involve no questions which do not arise in similar cases brought in the State courts—no questions which are not to be determined by the law of the State in which each case is tried. The law is the same, whoever the parties may be, and whatever may be the tribunal in which the case is tried. There can be no sound reason why the parties should have greater rights in the Federal courts than they would have if their case had been tried in the State court. Ordinarily, a party in a State court, whose case has been adjudged against him, can have a review in but one court of errors. To him that is the end of the law. If a judgment or a decree has been pronounced against him in a court of primary jurisdiction, he may resort to a superior court for the

correction of errors. If there the judgment be adverse to him, he is without further recourse. No one thinks of complaining that he cannot have a second review in a second court of errors.

Why should parties to suits in the circuit courts of the United States, who are there only because they are citizens of different States, or because one of them is an alien, and whose interests are unaffected by any Federal law, be entitled to more than one review of the original trial? What injustice is there in according to them the same rights which those enjoy who are litigants in State courts? If they may have a right to a review, in a court of errors, of an adverse decision of the court of original jurisdiction, it is all that litigants in State courts have, and presumably the judges of the intermediate Court of Appeals would, in learning and ability, be at least equal to the judges of the State courts. But if such cases should, in general, reach a final decision in an intermediate court, the Supreme Court would be relieved permanently of at least one-half of its business, and would be able to hear and determine, within a reasonable time, all the cases that could come into it. There would no longer be any complaint of a denial of justice. Every question respecting the force and effect of Congressional statutes, or respecting private rights declared or protected by Federal power, would be met and answered in due time; the embarrassments now so often felt in governmental operations would be removed, and certainty would be given to the relations of the citizen to the Government. The new organization would leave to the Supreme Court the decision of all questions relating to the powers of the Federal Government, to the construction, validity, and effect of the treaties and statutes of the United States, and to the validity of State legislation, when in alleged conflict with the Constitution. Uniformity of decision in the several courts of appeal would also be secured by the provision that any case may be reviewed in the Supreme Court when certified to it by the court in which it had been decided, or when a writ of error or an appeal had been allowed by a justice of the Supreme Court. A door would also be left open for the consideration, in that court, of those questions of general interest that occasionally arise which it is desirable should be answered in the same way in all parts of the country.

Such an arrangement would require, it must be admitted, an increase in the Federal judicial force, and it would be attended

by some additional cost—not much more, however, than the salaries of the new judges needed. There should be an increased number of circuit judges in each of the circuits—a number sufficient, with the single judge now allowed by law, to constitute the Court of Appeals. There should be at least three circuit judges in each, enough—with one or more of the district judges, who might be called in—to constitute the court. In regard to this there is some difference of opinion; yet to me it appears to be the wisest arrangement to have the court entirely constituted of the justice of the Supreme Court assigned to the circuit and circuit judges, leaving to the district judges their peculiar and appropriate work. In many of the districts they have time for little more. What with the criminal business, the admiralty, and the revenue, and the fifteen other classes of cases of which they have jurisdiction, they are likely to find full employment. And should a bankrupt act be enacted (as is probable), it will add very largely to their present labors. The circuit-court judges should, therefore, be left mainly in charge of the circuit courts and of the courts of appeals. This would give them ample employment. By this arrangement the business of the circuits would be much more efficiently done than it can be at present. There is a great lack of judicial force in most of them. The justices of the Supreme Court can do circuit-court duty only to a very limited extent. Most that is done must be done by a single circuit judge, aided, in some degree, by the district judges. It is notorious that in many of the circuits there is more to be done than can be accomplished in any reasonable time by the present force. And the business must increase with the growth of the country. The patent business alone exhibits an enormous increase. With more than two hundred new patents issuing from the Patent Office every week, the supplies for increased patent litigation are constantly multiplying. Even now, in six or seven of the circuits, the business is almost unmanageable. More than one hundred and sixty circuit courts are required by law to be held in the nine circuits every year. Some of the circuits are much too large. The second, embracing New York, Vermont, and Connecticut, has an utterly inadequate judicial force. So has the fifth, which includes the States of Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, and in which more than twenty circuit courts are to be held every year. The same may be said of the

eighth circuit, embracing Nebraska, Minnesota, Kansas, Iowa, Missouri, Arkansas, and Colorado. The seventh circuit, consisting of the States of Illinois, Indiana, and Wisconsin, considering the amount of the business therein, is also too large. And the same may probably be said of the third and sixth circuits. Throughout the country the increase of the force of the Federal judiciary has not kept pace at all with the increased necessity for it, growing out of the advance in population, wealth, and consequent litigation. With the exception of the addition in 1869 of nine circuit judges, it is very little more than it was fifty years ago, when the population of the United States was less than one-quarter what it is now, when the habits of society were much more simple, and when railroads and manufactures were almost unknown. There can be no justification for longer continuance of such a state of things. That administration of justice for which the judicial department of the Government was created—the assertion and vindication of civil rights, and the depression and punishment of public wrongs—is too important to admit of neglect or needless embarrassment. The framers of the Constitution foresaw the probable necessity of new provisions from time to time for the efficient exercise of the judicial power of the Government. Section one of the third article ordains that the judicial power of the Government shall be vested in one Supreme Court, and in such inferior courts as Congress shall, "*from time to time*," ordain and establish. Here is a clear indication that, as growing necessities may demand, new courts may be and should be established.

It is not intended in this article to point out minutely all the details of the plan recommended. The arrangement of those details requires not only perfect knowledge of what is needed, but great wisdom in devising the measures best adapted to supply the need. What is claimed is that an intermediate court, between the Supreme Court and the Circuit Court, the judgments of which shall be final in those cases heretofore mentioned, is the only possible means yet discovered sufficient to enable the Supreme Court to discharge promptly the duties imposed upon it, and to relieve it from its present great and growing embarrassment. How the intermediate court should be constituted may be left to the wisdom of Congress. But if it is desired also to give increased efficiency to the administration of justice in the circuits, as it certainly should be, there must be an addi-

tional judicial force in each; and if such force were provided, it would still the complaint often heard that cases in which the amount in controversy is less than five thousand dollars, decided in the circuit courts, are not entitled to review in any court of errors. As things are now, such a limitation is indispensable; but with a court of appeals, composed wholly or mainly of a sufficient number of circuit judges, it would be possible, and probably it would be judicious, to accord to losing parties, even in such cases, a right to have the judgments reviewed in that court. In the hurry of trials in the circuit courts, where questions are suddenly sprung upon the presiding judge, and where there is little time for deliberation, it will be that erroneous rulings are sometimes made, and it is a hardship, though now a necessary one, that such errors cannot be corrected in a higher court, even when the sum in controversy is not large.

So, also, the institution of an intermediate court of appeals would make it possible to allow writs of error to the circuit and district courts in the more important criminal cases. At present, the judgments of a single judge in those courts, pronouncing sentence to death or long imprisonment, are final. For them there is no review in any court of errors. Thus life and liberty have less protection than mere rights of property. This ought not to continue longer.

In conclusion, it may be repeated that there is probably no public necessity more urgent than that which is revealed by the present condition of the Supreme Court, and by the growing delays and embarrassments in the circuits. The next session of Congress will be a long one. It will give time for digesting thoroughly some scheme adequate to meet that necessity, and bring the administration of justice into such a condition that it shall accomplish all that is needed, and win the continued confidence of the country.

WILLIAM STRONG.

UTAH AND ITS PEOPLE.

THE popular idea respecting the Mormon people is well illustrated by the remark of a public man of superior intelligence and extensive reading who, when told that there were two sides to the Mormon question, asked, in apparent surprise, "What can *they* possibly say in defense of themselves and their system?" In making this reply he but gave expression to the feeling of a very large class of people upon this question. He supposed he was familiar with all the evidence necessary to its proper understanding; he had formed his judgment upon it, and had not thought there was a side to the case he had heard but little or nothing about. There is probably no subject which has been agitated so much as this, and concerning which less is really known. It is seldom that even among the intelligent and well read one can be found who can give a correct statement of the doctrines of the Latter-Day Saints, or "Mormons," as they are called; or who can explain the true character of their system. The ideas which are current respecting their religion, their organization, and their domestic lives are not derived from themselves, but from the writings and utterances of those who oppose them. When people who pride themselves upon the extent and variety of their information express surprise upon learning that the Mormon people believe in and revere the Old and New Testaments as the word of God, look for salvation through Jesus Christ, as the Redeemer of the world, and hold chastity in man as a virtue that should be maintained as rigidly as in woman, and that should be valued and cherished in both sexes as more precious than life itself, what must be the ignorance concerning them in other quarters? A public man, well acquainted with the people of Utah, recently remarked that he had found himself almost looked upon with doubt, in circles where his veracity

would not be questioned, because he had ventured to say that they were not licentious; that while they believed in plural marriage as practiced by the patriarchs, they were so strict in their ideas respecting all intercourse between the sexes, outside of marriage, that if they dared they would punish it with death. The misconceptions which prevail in the country concerning the people of Utah, their belief, and their attitude toward the Government, are principally due to the reports which have come from Utah itself. There are parties in that Territory who have labored incessantly to make the Mormon people odious to mankind. They have described them as offensive to all decency, as outraging all morals, as defying all law, as enemies to all established institutions. By cutting them off in this way from sympathy, they hoped to have them deprived of their political rights. In the paper entitled "The Political Attitude of the Mormons," in the March number of the NORTH AMERICAN REVIEW, this is avowed as the necessary measure. The author of that paper is the editor of an anti-Mormon newspaper at Salt Lake City, who has recently been employed to fill that position, and whose residence in the Territory does not extend beyond a few months. As I never met him, I cannot, even if I were so disposed, describe his characteristics and domestic relations with the same minuteness that he has mine. The description which he gives of the political attitude of the people of Utah has not for its basis either familiarity with them and their doctrines or a personal acquaintance with those whom he is pleased to call leaders. Aside from the report of an interview, said to have taken place between a traveling correspondent of a newspaper and a bishop,—of the value of which as evidence I need say nothing,—the paper is full of unsustained assertions, and its foundation is the gossip of the persons for whom he writes. It is his boast, I am informed, that he has never read the books of the people whose belief and teachings he attempts to explain.

As he has evidently depended upon hearsay and the writings of others as prejudiced as himself for his ideas of the character of the system, so he has also for the characters of Joseph Smith and Brigham Young. He calumniates them without stint.

The distinguished author of "Positive Philosophy" says: "Universal experience and the thorough study of human nature incontestably prove that a truly superior man never is able to

perform any great work among his fellow-creatures without being himself first profoundly convinced."

Joseph Smith had deadly enemies. He had also devoted friends, who knew and loved him so well that they would have died for him. It was the grandeur of his character which made him so beloved. He had the courage of his convictions, and did all that mortal man could to prove to the world that he knew his teachings to be true—he died for them. That Brigham Young did not have a similar fate was not for the want of disposition on the part of the clique in Utah represented by this writer, but for the want of power. The man who had the courage and genius to lead an expatriated people through a wilderness, the statesmanship to found a great commonwealth, and the truthfulness and probity to make his word among business men have the value of a bond, cannot be injured by malicious envy. This writer ranges himself in the ranks of the persecutors of the Mormon people; and what persecutors ever painted the portraits of their victims in heavenly colors, or ever held up those whom they crowned with martyrdom as saints?

A romancing account is given of the working out of the details of the new church by Sidney Rigdon. At the time Joseph Smith organized the church in New York, Sidney Rigdon was the esteemed colleague of Alexander Campbell in the church known as Campbellite or Christian. Seven months after, missionaries sent out by Joseph Smith met him in Ohio; he became convinced of the truth of their doctrines, and was baptized.

The object of the alarming talk about the political influence which is to be wielded by the Mormon people over an extensive region, unless severe measures of repression are speedily adopted, is very clear. Such a feeling has already been aroused at Washington that no person professing the faith of the majority of the people of Utah has been permitted for years to hold a federal office of any value. Congress has been pressed session after session to enact special legislation that would exclude them from all the local offices. The Territory and all its interests, the handling of its finances, and the management of its municipal, county, and territorial affairs are to be wrested from the control of the majority of the people. That they have retained the right to elect the delegate to Congress has been the cause of a large amount of unconcealed anger, and of no end of slander. Congress has been accused of setting a bad moral

example, because the delegate has not been unseated; and to bring home to it the necessity of thus vindicating itself, the story was fabricated that by his election Brigham Young had said he would thrust polygamy down its throat. As Brigham Young had been governor of the territory for eight years, and a delegate who had been charged with having more than one wife had already sat in Congress for ten years, it is difficult to perceive what necessity there was for him to do this, and much less for him, if he entertained any such design, to say he would do it. Whatever credit or discredit there may be connected with the nomination of the delegate referred to is due entirely to Hon. W. H. Hooper, whose own domestic relations have been always monogamic.

The statement that the way the Mormon people of Idaho are to vote is dictated to them from Salt Lake City is without the least foundation in truth. The propriety of selecting the best men for office and the value of union at the polls has been the extent to which advice has been given. Stress is laid upon the assertion that they are swiftly peopling the agricultural valleys of the Territories. Deep-laid and treasonable designs are attributed to this movement. This is the very climax of envious jealousy; for there are but few spots in their possession in Utah, or outside of it, that any other persons would have located upon prior to the improvements which they have put upon them. Outside of the Mormon people themselves, and those who have been of their faith, there are not twenty men in all of Utah who follow agricultural pursuits for a living. Hon. J. G. Campbell, who was delegate from Arizona in the last Congress, informs me that he has for years been familiar with the spots in that territory on which the people from Utah have settled, and he never thought that white men could live there. He asserts emphatically that no other white people would ever have attempted the cultivation of such lands, and their occupancy is viewed as an advantage by the surrounding inhabitants. As he informs me that they sustained his competitor, he has no political reasons for speaking in this way. In Idaho, the points where they live were supposed, when settled, to be within the limits of Utah, and taxes were collected and paid under that government. The establishment of the line between the two Territories demonstrated that they were outside of Utah. Past experience has taught that it would be imprudent for them to seek for rich and attractive

lands upon which to settle; they have therefore kept in the poorer portions of the country, where they could live with less danger of exciting envy and bringing attacks upon them. Because of this they have been reproached with crowding into the recesses of the Rocky Mountains, to be exclusive and to keep aloof from the rest of mankind and the light of civilization.

No reports, probably, have obtained more general circulation concerning these people than that they are disloyal and foreign. One object in the continued circulation of these reports is to create the impression that unless some speedy remedy is applied, republican institutions will be overthrown in a territory of the United States. The article on "The Political Attitude of the Mormons" sets forth the foreign character of the system in these words: "Almost all the leaders are of foreign birth. The Mormon Church is a foreign kingdom, hostile in all its features to a republican form of government; it is guided and controlled by foreigners, and depends upon foreigners and the children of foreigners for future expansion and power." This statement is broad and sweeping, and one should be sure of its truth before making it. Let us examine it. In the church which is thus described there is a presiding council known as the First Presidency, consisting of three persons. These and the eleven apostles, —there being a vacancy of one,—and the two counselors of the late president of the church, number sixteen. Of these, twelve were either born in New England or are the children of New England parents; two are of Virginia parentage, and two only were born out of the United States, and one of these has been in the country about fifty years and the other about forty years. One of the most important bodies of elders in the church is the Seventies. There are seven who preside over them. They are all Americans by birth, and all, excepting one, of old New England families.

The valleys where the Mormons live are divided into what are known as stakes,—what some denominations would call conferences. Over each of these there is a president, who, in all spiritual matters, takes the lead and direction of affairs. He presides over bishops and every other local officer. They number twenty-two in all. Of these eighteen are Americans, whose parents were Americans; four were born out of the United States, but two of them came to this country in their childhood. The presiding bishop of the church has two counselors; they also are

Americans. If the term "leaders" can be applied to any persons in that church, it can be to those I have enumerated.

The recent census develops another fact which may be interesting in this connection: that of the several Territories and States which have a larger proportion of foreign-born citizens than Utah, two of the States in which the writer of this statement last resided have a much larger percentage of foreign-born people than Utah. Not only are the leading men mostly of American birth and parentage, but in their families there are but few foreign-born women. The women of Utah who trace their descent from the early settlers of the continent and are proud of their ancestry are quite numerous. Probably in no part of the United States, outside of New England, can there be found so many descendants of New England ancestry in proportion to the whole population. There is a reason for this. The church was organized in New York; and, for a number of years afterward, and while it was passing through some of the most severe ordeals of persecution, its converts were mostly from New England and the Middle States, there not having been so many converts from the Southern States at that time. In "The Political Attitude of the Mormons," we are told that it was "oneness, slavish obedience to masters, and entire prostitution of free and popular government," which caused the expulsion of the Mormons from the places where they first settled. The truth is that the "frenzy" of which it speaks was aroused in Western Missouri, where they early settled, by designing men circulating the charge that they were "Yankees and Abolitionists."

The foreign-born people in Utah are of the liberty-loving races of Europe, and are generally conscientious, God-fearing people, having the courage to follow their convictions; not always possessed of book-culture beyond a knowledge of their Bibles; but industrious, honest, and virtuous; good citizens themselves, and the element to produce a race of faithful, loyal freemen. The teachings from the platform and in the schools have been that the men who framed the Declaration of Independence and the Constitution, and who took part in the councils and battles of the Revolution, were especially inspired and sustained by the Almighty; and that those instruments are the foundations upon which stable government for all time, upon this continent, must rest. Joseph Smith, whom they look upon as a prophet, taught this; and since his day, others have constantly repeated the

teaching. Persecution never weakened their attachment to the principles of free government, and when they fled as religious exiles to the Rocky Mountains they did not forget they were American citizens. They hoisted the Stars and Stripes, and announced their determination to live under the Constitution of their fathers. But they claimed for the Constitution powers which others did not think it possessed. When expelled from a State under an exterminating order of its governor, they held that the Federal Government, by virtue of the Constitution, had the power to protect and re-instate its citizens in their rights. Martin Van Buren, when appealed to as the chief executive, thought differently. The State was sovereign, and could not be reached; and he replied: "Your cause is just; but we can do nothing for you." The people claimed then, as now, for the Constitution, that it was designed to protect the humblest citizen in every right of liberty and of worship that did not disturb good order or interfere with the peace and happiness of others. There have been officials in Utah who have acted as though the exhibition of enmity toward the people was the chief qualification for office there, and the manifestation of friendship or kindness was a disqualification. And the results have too frequently justified this view. No charge against an official there has been so effective in procuring his dismissal as that of being kindly disposed to the Mormon people. No plea has been more effective in staving off charges than for the official to allege that he was disliked and feared because of his active hostility against the Mormon people and their system. The recent "high treason" of the governor of the Territory in "strangling the sovereign power and stifling its voice," is a case in point. It is this disregard of the rights and will of the people that has weakened confidence in officials. Governors and judges have been retained in office because they were hostile to the people; and others have been dismissed because they were friendly to them. "He who seeks equity must do equity." The people could not entertain respect for those who would treat them as though they were a foreign and subjugated race; and this, and no more, has been the extent of the disloyalty of which they are accused. They have been averse to prospecting for and opening mines; for they knew the train of evils that would follow their development. Every person was at liberty to do as he pleased about prospecting for or opening mines; and it was not because the people

desired to be poor and ignorant that they did not wish a change such as mining would bring.

For many years after the settlement of Utah, not a liquor or a gambling saloon existed in the Territory. An unprotected woman could walk every road in city or country, by night or day, without hearing a word of insult or witnessing a gesture of disrespect. That unhappy being whom Lecky calls "the eternal priestess of humanity, blasted for the sins of the people, who appears in monogamic lands as the perpetual symbol of the degradation and sinfulness of man," did not exist in the valleys of Utah, for prostitution was unknown.

The average duration of school days in all the States and Territories per year is 126.8, while in Utah it is 146; it stands eleventh in this respect in the list. Of a school population, nearly two years ago, of 34,929, there were 66 per cent. enrolled. At that time there were 373 public schools, and an average daily attendance of 47 per cent. The text-books are principally those used in the other parts of the republic. Schools there have received no aid from the parent government. Standard journals and magazines are welcomed in every household. The character of their own journals is ridiculed because one of them recommended more earnest prayer and more faithful observance of commandments as a means of deliverance from diphtheria; but, as the medical profession itself fails to check the ravages of this disease, it is not easy to perceive why they should be sneered at for recommending this when, in the presence of sickness and calamity, governors of States set apart days to fast and pray. It is not very fashionable in these days to have faith in prayers; but the Mormon people share the views of John Wesley (Sermon xciv.), where he, speaking of the primitive church, says:

> "This was the real cause why the extraordinary gifts of the Holy Ghost were no longer to be found in the Christian church, because the Christians were turned heathens again, and had only a dead form left."

From the time when travel across the continent to California commenced, it has been a constant custom in Utah to invite ministers of repute, of every denomination, who were passing through, to preach in the various places of worship. There is scarcely a Sunday during the summer season that one or more visitors do not address, by invitation, some one of the numerous

Sunday-schools. Besides Sunday-schools, where the Old and New Testaments and other works are taught, there are "mutual improvement associations" for the young people of both sexes in every village in the territory. In the interest of these schools and associations, magazines are published. These are not the evidences of a disposition to neglect education, to shrink from the light of intellectual day, or to avoid any encounter that will bring out truth in stronger relief.

Nearly twenty-four years ago a company of emigrants was attacked and killed at Mountain Meadows by Indians, assisted—at least a part of the time—by whites. This dreadful massacre occurred at some distance beyond the frontier settlement in the Territory, yet there has been an unceasing effort on the part of some to hold all the people accountable for its perpetration. John D. Lee, one of the principal actors in this tragedy, was tried by a Mormon jury. On the testimony of Mormon witnesses, they brought in their verdict of murder in the first degree. At that trial, the then United States district-attorney said:

"He had been engaged constantly during the past three months in sifting facts and everything related to or connected with the massacre, and that he had come there for the purpose of trying John D. Lee, because the evidence pointed to him as the main instigator and leader, and he had given the jury unanswerable documentary evidence proving that the authorities of the Mormon Church knew nothing of the butchery till after it was committed; and that Lee, in his letter to Brigham Young, a few weeks after, had knowingly misrepresented the actual facts relative to the massacre, seeking to keep him still in the dark and in ignorance. He had all the assistance any United States official could ask on earth in any case; nothing had been kept back, and he was determined to clear the calendar, but he did not intend to prosecute any one lured to the Meadows at the time, some of whom were only boys, and knew nothing of the vile plan which Lee originated and carried out for the destruction of the emigrants."

Notwithstanding this testimony, and every denial of the people, this massacre has been constantly cited as an incontrovertible proof that in Utah the people are ready to commit any crime upon persons not of their faith; and even the stage has been prostituted to give wider currency to the atrocious slander. Yet members of Government surveying parties, and numerous others who have traveled through that Territory, bear ample testimony to the remarkable security of life and property there, and the universal kindness and hospitality of the people. In no

other Territory or State is human life held more sacred than it is there.

The whole foundation of the charge about "blood-atonement" is that the people believe in the Biblical doctrine that men who commit murder, adultery, and other gross crimes should be executed; and, as they do not believe in hanging, one of their early laws gives the criminal convicted of murder the privilege of electing the mode of execution.

Chief Justice White, of Utah, who stood in the front rank of his profession in his own State, in a charge to a grand jury, whose attention he drew to polygamy, expressed the results of observations there. He said:

"I have not, nor do I propose, to enter upon a discussion of the morality or immorality of polygamy, practiced by a people who in other respects are law-abiding, moral, and upright. With the ethics of the subject neither you, as grand jurors, nor I, as a Court, have anything to do. I do not utter the language of prejudice, nor treat lightly or derisively the Mormon people or their faith. No matter how much I differ from them in belief, nor how widely they differ from the American people in matters of religion, yet, testing them and it by a standard which the world recognizes as just—that is, what they have practiced and what they have accomplished—and they deserve higher consideration than ever has been accorded to them. Industry, frugality, temperance, honesty, and, in every respect but one, obedience to law, are with them the common practices of life. This land they have redeemed from sterility, and occupied its once barren solitudes with cities, villages, cultivated fields, and farm-houses, and made it the habitation of a numerous people, where a beggar is never seen, and alms-houses are neither needed nor known. These are facts and accomplishments which any candid observer recognizes and every fair mind admits."

The book which contains the doctrine of the church, and which is esteemed as the word of God, and binding upon them by its members, is of itself a complete refutation of the assertions that the religion of the people prompts them to commit crime, to cling to ignorance, to disregard authority, to set up the laws of the church against the laws of the State, or to yield to priestly domination.

The following are a few extracts:

"Behold, the laws which ye have received from my hand are the laws of my Church, and in this light shall ye hold them forth."

"And that law of the land which is constitutional, supporting that principle of freedom in maintaining rights and privileges, belongs to all mankind, and is justifiable before me."

"Seek ye out of the best books words of wisdom; seek learning even by study, and also by faith."

"And study and learn and become acquainted with all good books, and with languages, tongues, and people."

"Whatever principles of intelligence we attain unto in this life, it will rise with us in the resurrection; and if a person gains more knowledge and intelligence in this life through his diligence and obedience than another, he will have so much the advantage in the world to come."

"Thou shalt not kill; and he that kills shall not have forgiveness in this world nor in the world to come."

"Thou shalt not lie; he that lieth and will not repent shall be cast out."

"No power or influence can or ought to be maintained by virtue of the priesthood, only by persuasion, by long suffering, by gentleness and meekness, and by love unfeigned."

Respecting government, this book says:

"We believe that governments were instituted of God for the benefit of man, and that he holds men accountable for their acts in relation to them."

"We believe that all men are bound to sustain and uphold the respective governments in which they reside, while protected in their inherent and inalienable rights by the laws of such governments."

"We believe that every man should be honored in his station; rulers and magistrates as such, being placed for the protection of the innocent and the punishment of the guilty; and that to the laws all men owe respect and deference."

As to the statement that non-Mormon people would be driven out of Utah by oppressive acts if it were admitted as a State, the experience of the merchants and others who went there in early days and made fortunes, contradicts it. To give color to this allegation, however, the statement is made that it was attempted to tax the gross product of mines twenty per cent., and that a bill to that effect was only prevented from becoming a law by the veto of the governor. This is emphatically denied to me by one who is familiar with all the revenue bills which have been introduced into the Assembly or passed; but a bill was vetoed in which land claims and mining claims were made taxable as well as other real property. This was not an unusual provision, for in most of the States and Territories which contain mines such property is taxed as realty, and mining products are taxed much higher than in Utah. The impression is very prevalent that the legislative assembly of Utah has the whole power of enacting the local legislation of the Territory. Yet the truth is that Utah is the only place in the republic where the governor can absolutely veto all legislation which does not suit him; and, in addition, Congress can revise or repeal any law. So, too,

it is alleged that the Government is unable to convict persons in Utah who are charged with the crime of bigamy. This is urged as a good cause for depriving the people of the right of sitting upon juries. The court records of the Territory, I am credibly informed, show that convictions have been had in every case tried there for that crime; and certainly, under the peculiar system of impaneling juries, there need be no difficulty in obtaining indictments. In the public mind, the system of plural marriage in Utah is often confounded with bigamy. But that crime, as usually committed, inflicts grave wrong upon innocent parties. A man marries a woman; he afterward deserts her and marries another. From the first he conceals his intention to marry again. From the second he conceals the fact that he already has a wife. Both are wronged and deceived, and society is outraged. But this is not the patriarchal marriage of the Latter-day Saints.

Strange as it may sound to many people, the same high sense of duty animated the Mormon people to accept the doctrine of plural marriage, and to practice it, which prompts men and women to perform extraordinary acts of religious devotion in other directions. Had they believed celibacy to be the will of heaven, both sexes would have adopted it, in many instances at least, with more willingness than they did plural marriage. They had all the prevalent traditions respecting a man in these days having more than one wife, or more than one woman being married to one man. How then, it may be asked, came they to surrender to this doctrine and practice? Because they became convinced that it was a revelation and commandment from the Lord, and that the redemption of the race from the evils which abound in modern society required them to accept it. The expression of one leading man respecting his own feelings upon this subject will illustrate those of many others. After learning from Joseph Smith that such a doctrine had been revealed, he more than once wished, he said, when he saw the hearse go by to the cemetery, that he was its occupant, for he could see the avalanche of opprobrium that would descend upon himself and the entire people when it became known that they believed in such a doctrine. To have gone to the stake for his religion would have been more easily and freely performed.

In Utah, plural marriages were contracted for many years when there was no law prohibiting them. For years after the

law was passed making it a crime, the opinion was not uncommon among lawyers that the law was violative of the first amendment to the Constitution. These marriages exist, and under them children have been born. But it is demanded that they shall be broken up; and men are denounced in ferocious style because they do not comply with this demand. How shall this be done? This is a practical question, and must be met in a practical way. These contracts were made with the solemn sanction of religious ordinances and the understanding that the union was for time and all eternity. Shall the husbands throw off the wives and children obtained under such circumstances and leave them to bear alone all the consequences which the opinion of the world would inflict? The men of Utah are not such scoundrels and poltroons as to commit such a crime against heaven and humanity as this.

There can be no greater mistake than to suppose that sensualism is at the foundation of this system of marriage. For, were that the motive, the responsibility, trouble, and expense of marriage and its fruits need not be incurred. Its gratification can be reached in ways cheaper and very much more popular. The idea in Utah is that every woman should have the privilege of marrying, if she wishes to be a wife and mother, and there should be no unmarried element for lust to prey upon. As the late census shows that the male sex predominates, if all men would marry, of course there could be no plural wives, and the same end would be achieved.

It is the religious aspect of this system of marriage which makes it hateful to many well-meaning persons. They can tolerate defects in morals better than defects in doctrine. Two hundred years ago, John Locke commented upon the fact that there was a class of people naturally more eager against error than against vice. Comte mentions the preference of dogmas by the same class to moral truths, and Kant also alludes to the same peculiarity. In these days, a man can escape much censure for being pliant in his morals if he is inflexible in his orthodoxy. Reformers have often learned this to their cost. Still, charges of immorality were used as effectively against them as against the primitive Christians. It was not those who, in popular estimation, were virtuous and saint-like who were crucified, decapitated, and burned.

The complaint is made that the Mormon people are a solid

phalanx. If so, the outside pressure has contributed to make them such. It has had the effect to hoop them up, to force upon them the necessity of clinging to their co-religionists, by whom alone their virtues have been acknowledged. There have been those who, representing them as like Chinese, would treat them as Chinese. More than once they have had printed forms of petition sent to churches everywhere, for the signatures of congregations,—many of whom knew less about the real condition of Utah than they did about the antipodes,—asking Congress for legislation that would disfranchise the people there and deprive them of every function of citizenship, except that of paying taxes for others to expend, if not to squander. If the Mormons hold themselves aloof from the Gentiles and are exclusive, as has been charged, the fault is not with them. A clique, composed of a few men, frame the canons to govern Gentile society in Salt Lake City. One of the most stringent of these is that there must be no social intercourse with Mormons generally. Those who violate this are tabooed, and if they persist, they are called "Jack-Mormons." A person may break the entire decalogue with lighter consequences than attend the affixing of this name. It is held over visitors also as a punishment for treating Mormons with the courtesy due to citizens. The highest civil and military officers of the Government have not escaped the name, the only offense of the army dignitary being that he said the Mormons had some rights, and were not undeserving of credit for their patient toil. A man reaches the condition of "Jack-Mormon" when he ventures to express such sentiments.

For one, I am content to have this policy of proscription applied in Utah so far as its effect upon the rising generation is concerned. When a line of demarcation is so sharply drawn as it has been for years between those who profess a certain faith and those who do not, and young people are forced to elect to which class they will belong, those who have pluck and the higher qualities well developed will cast their lots with their persecuted friends, and endure all the consequences which such a decision brings, while the cowardly and the selfish may gravitate to the side which promises them ease and popularity.

History attests that no people who are willing to die for their principles need fear the effect of violence and unjust treatment upon them. If their convictions are profound, persecution solidifies them and evokes sympathy for their cause from those not of

their faith. Their constancy excites admiration, creates an interest in their doctrines, and adds converts to their ranks. This has always been the effect of persecution where it stopped short of extermination. The liberty which followed the edict of Nantes did more to check Protestantism in France than the previous denial of rights and even persecuting war itself. Catholic and Protestant writers alike testify that Protestants diminished during those peaceful times ("diminuoient en nombre et un crédit pendant la paix"). Henry III. hated them so much that he excluded them from all positions in the government. Henry IV. took a more liberal view. He decided that violence or the withholding of rights was not a legitimate means of correcting schisms in religion. He chose men for office for their abilities without regard to their religion. This drew the attention of some Protestants from their own sect to the government. They felt gratitude toward, and took interest in, that authority which employed them. I do not say that such a policy on the part of our Government toward the people of Utah would result similarly. But it has not been tried. Inflammatory appeals are made to the country to prevent it or any other kind policy being tried. The administration is urged to adopt a treatment which would be more in violation of the Constitution and all republican principles of government than the acts themselves against which the rigor of the law is invoked. Free-born men are to be deprived of all rights as citizens, and to be governed as Indians, insane, and minors; and yet it is admitted that they are "in their daily lives peaceable, industrious, frugal, and courteous"; and that their system has in a decade "waived some of its atrocities." Can prejudiced, unreasoning bigotry be more stupid than this? Free and popular government is to be maintained by methods which would disgrace an autocracy. Church and state, which are falsely said to be united, are to be divorced by the transfer of the people, their improvements and varied industries, the treasury and sources of revenue, to a commission, whose members would hold office till they should be accused of being "Jack-Mormons."

As to plural marriage, the people of Utah took no broader views than many of the early fathers—Theodoret, St. Ambrose, St. Chrysostom, and others. St. Augustine said (Lib. xxii., *contra* Faustum, cap. 47): "It is objected against Jacob that he had four wives"; to which he answered, "which, when a

custom, was not a crime." And the learned Grotius, speaking of such marriages (B. I., c. ii., sec. 17), said that "when God permits a thing in certain cases, and to certain persons, or in regard to certain nations, it may be inferred that the thing permitted is not evil in its own nature." Until the Supreme Court held otherwise, they entertained the opinion that, under the Constitution, Jacob—the names of whose twelve sons are to be on the gates of the New Jerusalem, which all who are written in the Lamb's Book of Life are to enter—could, if he were here, have lived in a Territory and not been thought guilty of "animalism," or unfit to exercise civil rights. Surely before thunder-bolts of wrath are launched upon them they should have time to unlearn these views, and the interpretation they have given to the teachings of Jefferson, Madison, and other founders of the republic, respecting "the Jew and the Gentile, the Christian and the Mohammedan, the Hindu and infidel of every denomination," being protected in the fullest enjoyment of religious liberty, and the practices, as in their own case, flowing therefrom.

Tested by any rules which prevail among enlightened peoples, Utah will not shrink from comparison with any part of the republic. I doubt if in any other part there can be found so large a proportion who own their own homes. The percentage of illiteracy is lower, and taxation is lighter, than in any of the other Territories, and than in many of the States. The Territory has no public debt. The enterprise of her people is shown in the building of railroads, the extension of telegraph lines, and other progress, to keep abreast of the age. Without the study and practice of coöperation upon a grand scale, with the poverty of her pioneers, her lands could not have been settled and cultivated as they are. All this has been accomplished, not with the encouragement of cheering praise, but in the midst of cruel and malignant abuse. Is there no credit due to a people, whatever their faults may be, who, under such constant assaults and misrepresentations, have accomplished so much in peopling the desert and filling the desolate valleys with peaceful homes and the hum of civilized industries? People proscribed in their religion, stinted in their rights, assailed as if they were aliens, do not usually display all their good qualities. Utah has been the Cinderella of the family. Give her a fair opportunity, and see if she will not at least rank in all that is admirable and attractive with her more favored sisters.

GEORGE Q. CANNON.

SHALL AMERICANS BUILD SHIPS?

YES. By reason of our position and products, we ought to be the first ocean-carrying nation in the world. To become that, we must build ships. National ambition, prosperity, and self-defense alike are involved in the answer, Yes.

Our early history proves us worthy of that position. When we achieved independence and began as a nation, we began as a nation of ship-builders. Among the first acts of our earliest statesmen was the passage of protective navigation laws, to meet those of England. Starting out with the sturdy spirit of self-reliance, though with bankrupt treasury, no national credit, but a large national debt, only some three millions of people, and a wilderness to conquer, we made such progress in ship-building as the world never saw before.

It was not until we had 46,000,000 of people, resources superior, and foreigners dependent on us for bread, that it was declared we must go abroad to buy ships, and buy them of our great commercial rival at that.

From 1789 to 1812 our tonnage grew from 280,000 to 1,100,000 tons, an increase so remarkable that England, jealous of us as ocean rivals from the first, made war upon our commerce—for the war of 1812 was nothing else. But in twenty years from the date of peace our commerce had doubled, and our tonnage increased yet more largely, till in 1850 it was 3,335,454 tons, and we had sold over 400,000 tons of ships abroad, besides. We built the fastest and cheapest wooden ships, and the well-known Yankee clippers were seen in every port all over the world. In 1860 we had 5,350,000 tons, and of our total foreign trade $437,190,000 was carried in American bottoms, against $160,057,000 in foreign ships. Then came our civil war and England's opportunity.

Our growth had been wholly in the wooden sailing ship. But in 1840, seeing the impossibility of competing with us in building the wooden ship, and knowing no nation could be great on the sea that did not build its ships, England found a new factor of success in the introduction of the iron steam-ship. She encouraged the large investment of capital required by establishing steam-ship lines, with ample mail compensation; thus skillfully opening at once new markets, and by increased trade creating new demand for ships. She also gave naval contracts to private ship-builders, to enable them to build up iron shipyards. And from the time she began this policy we began to lose, through not meeting her wisely in this as we had twice met her when it was a question of war; and the rebellion effectually prevented us from continuing a competition in which we had previously been so successful. So the carrying trade of the North Atlantic passed out of our hands.

Since the civil war, laboring under disadvantages spoken of later on, it is not to be wondered at that the American carrying trade has not been revived. The wonder is that we have any shipping left. But who can doubt that if in 1865 our statesmen had recognized the imperiled position and vital importance of this great interest, and had adopted a judicious policy to restore us gradually to our proper place on the sea, millions on millions of dollars annually would have been saved to our country, millions paid to American labor, the day of resumption hastened, and much of the distress of the late "hard times" averted?

Looking at the present and future interests of our country, therefore, I say that Americans shall and must build ships. But there seems to be some difference of opinion about our ability to do it. Practical men, men who own ships and want to own more, say we can. Theorists and "free-ship" men, who neither build nor own ships, nor intend to own them, say we cannot. To get at the difference clearly, let us see on what points all are pretty well agreed. These may be set down as:

1. That the United States need more ships than any other nation, having more surplus products to be carried in them. 2. That no nation has ever been a great ship-owning nation that did not build its own ships. 3. That we have natural resources superior to those of any other country for building either wooden or iron ships. 4. That we have the most energetic and intelligent class of workmen in the world. 5. That ninety per cent. of the

ship's cost is labor; and 6. That labor is free, and we can import it from any part of the world without duty or restriction.

What, then, divides the American people on this great national issue? I can see nothing but discriminating laws and the labor question. The one difficulty claimed by the "free-ship" advocate is the difference in the ship's first cost. What does this difficulty amount to? The difference in the first cost of American and English built iron ships is: in the sailing ship eight per cent. and in the steam-ship from ten to fifteen. What causes it? The greater cost of American labor. It is true we are free to import labor from the European countries, where it is cheap; but the moment the working-man gets here, he seems to imbibe our national idea of the elevation of man, becomes Americanized and wants American wages. I say this is right. But shall we, then, leave our forests and mines undeveloped and thousands of working-men unemployed, because it has ever been and is the policy of our Government to furnish labor with more favorable conditions than it knows elsewhere? Is there no way to build up American shipping other than to crush down American labor, or to buy the ships from a nation which has no advantage over us in ship-building, save as she applies her policy of crushing down labor? I will leave that question for the American people to answer.

But it is not the first cost that prevents us from building ships. Rather let us look at facts like these: 1. The great revolution on the ocean,—from wood to iron, from sail to steam, from the ordinary engine to the compound,—and the start England had of us in the use of these advantages. 2. Our difficult position to-day through not being able to avail ourselves in other years of these new conditions, by reason of internal strife. Every business man knows the almost impossibility of raising capital to compete with large capital already in possession of the business. 3. Our enormous system of taxation, different from that of any other nation, and in reality prohibitive of ship-owning. 4. Lack of a definite policy which would create a demand for ships in the opening of new markets,—our Government offering no inducements or facilities for reaching the world's markets where our products could be sold, and leaving our merchants to rely on sailing ships or on foreigners for transportation. If it was profitable for the foreigners to open the markets to us, they did so; if not, we went without. 5. The

terrible wrong inflicted on American capital invested in the foreign trade by compelling its ships to carry the mails for postage. 6. Exorbitant tonnage dues and consul fees and pilotages. These, with other existing burdens, are reasons sufficient why we cannot afford to own ships. And, of course, until we can profitably own ships, we shall not build them.

The "free-ship" advocate has plenty to say about a lost carrying trade and antiquated laws. Why is he always silent about these practical, tangible grievances? Why has he nothing to offer but forever the same two remedies—"free ships" and "free material"? Let us see of what sort these remedies are.

1. "Free ships," or the right to buy ships where we choose. That means to buy of England; for no other nation has them to sell, or can build them. It means for a nation having abundant resources and ability to supply itself with ships for its use in peace and defense in war, to become dependent for ships upon a single foreign nation. If we become dependent this year, shall we not be more so next? When shall we emancipate ourselves under this policy? Let us not forget, too, that all nations are interested in having more than one nation able to supply them with iron ships. Again, it means to starve American and feed foreign labor; to take millions on millions of dollars out of circulation among our people; to build up a foreign government and beat down our own. It means inevitable national humiliation and disgrace sooner or later. The statesman who advocates "free ships" ought to come out frankly and admit that, in whatever form he recommends relief for our carrying trade, he means England shall be the gainer. For "free ships" is to depend upon her for them, as I have said; and "free material" used in ships can only be supplied by England. What kind of a plan is that for Americans to propose?

Curiously enough, too, the "free-ship" man is always ready for a bargain. He will give you free material, but you must give him "free ships." Or he will give you a postal contract, but you must give him the right to buy ships in the cheapest market. But if you offer him relief from taxation, he doesn't want that, nor does he want encouragement. What he evidently does want is the English ship, and nothing else will do.

Take the history of the three wars we have fought for independence, for equal rights on the sea, for the preservation of the Union, and I ask you, could we have afforded then to be depend-

ent upon England for ships, and if we had been dependent, what would have been the result? To simply point out the effects of such a condition in our late civil war: Where lay the strength of the North? Was it not chiefly in her ability to at once send sixty thousand trained men from the private ship-yards into the navy-yards; to send thousands more of skilled mechanics from our workshops into the arsenals, and in the private ship-yards to build the "ninety-days" gun-boats; besides being able, through the work of those left at home, to supply the wants of the people and support our armies in the field? Of what value was it to us that we were able to send out the little Monitor from a private ship-yard in New York in one hundred days? Had she been four days later, the capital of the nation would doubtless have been captured.

Where lay the weakness of the South? Was it not in her undeveloped condition, without ship-yards, or engine-works, or rolling-mills, or factories, or the means in any way to supply the wants of her people or maintain her army either in clothing or implements of war? She never surrendered until we blockaded her coast and shut off her chances to get supplies from England. In our three wars, what should we have done but for our ability to build ships?

But, looking at free ships as a matter of business, what has the difference in first cost to do with our ship-owning? Let us compare the ship on the sea to the factory on the land. Both require capital for the plant and men to operate them. Now, what business man does not know of instances where two men are engaged in the same line of manufacture, and where one of them paid from fifteen to twenty per cent. more for his plant than the other? But has any business man ever heard of a man's closing up his factory and ceasing competition merely because his plant cost him more, all other things being equal? No, it is not the first cost that drives a man out of the business. But suppose the one man's taxes were twenty times more, the wages of his hands twenty-five to forty per cent. higher, than those of the other—why, he would fail, though you gave him his plant for nothing. What man could buy a cheap English factory and run it on the American principle of high taxes, high capital, and high labor? So, in ships, it is not what it costs to get the ship afloat, but what it costs to keep her there, under American rates of taxation, interest, and labor, that prevents us from owning ships in

competition with foreign owners, who employ capital under no such disadvantages.

2. Free material. This is a favorite argument with some who seem to think a ship's cost is ninety-five per cent. for material and five for labor, instead of the exact reverse. And I have already called attention to the fact that the labor which makes up ninety-five per cent. of the cost *is* free. As for free material, I have studied every way practicable to see how near we could come to compete with Great Britain in the product of the ship. In 1872, when I undertook to build some large ships, the rolling-mills did not exist in this country that could make the angles, plates, and beams required. I then had to pay £12 10s. in gold for plates, £11 10s. for angles, £1 per ton freight by steam, and five per cent. commission. This satisfied me of the folly of a man's trying to bring a distance of three thousand five hundred miles the heavy material required for a ship, paying freight and commissions, and putting that material into a ship, at our high rates of labor, in competition with a man whose ship-yard is close by where the material is produced, and who has cheaper labor, no freight or commission to pay, and lower rates of taxation.

From the Clyde to the Delaware or Hudson is over three thousand miles. The impractical man tells the American ship-builder that the thing he needs to enable him to build ships is to bring the material from the Clyde and put it into ships in competition with the ship-builder over there. Now, who would think of taking the iron from the Delaware to the Kennebec—a vastly shorter distance—and asking the builder there to put it into iron ships in competition with the iron-ship builder on the Delaware, who had no freight to pay? Or who would think of bringing wood from Maine to Delaware to build wooden ships in competition with the Maine builders? The idea is so preposterous that no practical man would entertain it. It is plain that the freight and commission paid by the American builder in bringing material from the Clyde would be a large profit for the English builder.* Why did not England

* Why, even the short distance from the Clyde to the Thames was so much of a disadvantage that it broke up the ship-yards on the Thames, and the builders there had to move up to the Clyde in order to join in the competition. If builders with all other conditions equal could not stand a few miles freightage, how could we hope to compete when obliged to bring the material over three thousand miles?

succeed when she imported the wood from us free, with cheaper capital and labor?

It will readily be admitted that the American iron-ship builders are desirous to have removed all the disadvantages which prevent them from competing with the English builders. They do not own mines or rolling-mills or forests. They are the purchasers of the products of these, and it is for their interest to buy them on the most favorable terms. Strange to say, then, that while not an American ship-builder has ever said that this free-material bill would be practicable or advantageous, the theorist and "free-ship" advocate are always insisting for them that it would.

The advantage of home competition and its effects in reducing the price of iron are shown by the fact that the average cost of iron made into shapes for ships in England was, for the years 1872 to 1875, $61.25 per ton. We then had no rolling-mills, or facilities for making the shapes required for large iron ships. Since then we have established the rolling-mills, and from 1876 to 1880 the average cost of ship iron here was $52 per ton, or $9.25 less than in England during the years 1872 to 1875. England built in those years 1,600,000 tons of ships, at an average cost of $9.25 more per ton for the iron than that iron costs in this country to-day. And when so much is said about the fifteen per cent. greater cost of the American ship, it should be remembered that we are building iron ships cheaper to-day than England built them from 1871 to 1875, and that it is our ability to build that has made and that alone keeps the English ship cheap.

Now to emphasize some important points merely stated hitherto:

Americans need ships. During the year ended June 30th, 1880, the value of our exports and imports was $1,589,472,093, of which foreign ships carried $1,309,566,496, and American ships $280,005,497, or only 17.6 per cent. In 1860, of exports and imports valued at $762,288,550, American ships carried 66.5 per cent., leaving to foreign ships but 33.5 per cent. So much of a revolution has taken place in our position as ocean carriers since the beginning of our civil war. From 1870 to 1880, our export trade increased over 400 per cent. Should it increase at one-half that rate in the next ten years, our surplus products requiring ship transportation would exceed 22,000,000 tons. We

should not for a moment think of letting a foreigner carry them for us on the land—why should we on the ocean? Shall we carry our fair proportion of them? Then we must build ships. If we do not adopt a policy to do so now, when shall we begin?

On the safe delivery of these products in the world's markets, and on the cash returns, depends our financial stability. Block up the road to market for a year through foreign complications, and wide-spread bankruptcy and ruin would result. The only way to be free from these complications, and to be safe, is to control the carrying of our products by owning and being able to build ships. To say we must carry American products under the American flag is not sentiment, but security.

For the ocean carrying of freight, passengers, and mails, we paid last year over $140,000,000 to foreign ship-owners. In the last fifteen years we have paid over one thousand millions of dollars in gold out of the country in this way, and at a time, too, when gold was at a premium, and we sorely needed it. This drain goes on and grows with our trade. When shall we begin to keep some of this money at home for the benefit of our own people? Don't let us be afraid of getting a little gold in the country. We want to hold the balance of trade in our favor until money is cheap, and the bond of every State in the Union can be negotiated for four per cent.

A nation that cannot build ships cannot afford to own them. No nation that did not build its own ships ever held the first place on the sea. England has more than $570,000,000 invested in ships. She could not afford to own such a fleet had she been obliged to buy it in foreign ship-yards, and send that vast amount of capital out of her own country. To maintain such a fleet costs at least ten per cent. of the whole value, or $57,000,000 a year. Could any nation stand such a drain of gold as that? To regain our lost carrying trade, we ought to invest $100,000,000 in ships within a few years, and to increase investment from year to year. Could we send that capital out of the country without injury to every interest in it?

France and Germany have shown what disadvantages non-ship-building nations labor under. They have had the full privilege of "free ships," and in all other conditions of competition with England have been equal, *i. e.*, cheap capital and labor, rates of taxation and mail compensation to steamship lines. The following shows what tonnage these nations

own, compared with that of England, the United States, and Norway:

Nation.	No. of Ships.	Total Tonnage.
England	21,897	9,518,000
United States	6,434	2,643,000
France	3,906	929,000
Germany	3,403	1,193,000
Norway	4,313	1,443,000

These figures are official, and speak for themselves. Little Norway, building her own ships, owns more tonnage than either France or Germany; and we own more than France and Germany combined, in spite of all obstructions. I leave it for the "free-ship" advocate to explain these curious facts. He cannot well say that France and Germany do not need more ships, for they do not carry one-third of their own products. Besides, France has just awakened to the necessary relation between ship-building and ship-owning, and has passed a bill to encourage ship-building at home by offering a bounty for every ton built in France for use in the foreign trade.

It is customary for the "free-ship" advocate to answer facts like these by crying out "Monopoly." But where is the monopoly in ship-building? Are not the forests, and mines, and river banks open to all to build ships and to make ship-iron? Our laws invite the capitalists of other nations as well as our own. You might as well cry out monopoly against the cotton-grower of Texas or the grain-grower of Minnesota. Each field of enterprise is equally free.

Americans ought to own ships. What prevents? Look at taxation, for one thing. Steam-ship lines are run by corporations, the capital required being too large for individual ownership. An American corporation in New York, with $2,000,000 invested in five steam-ships, would have to pay a tax of *two and one-half per cent.*, the same as on real estate, *without regard to profit and loss on the investment.* An English corporation, with like amount invested in five ships, would be taxed *only one per cent. on the net profits.* Assuming the net earnings of both lines to be eight per cent. per annum, the result would be:

Lines.	Capital invested.	Net earnings.	Taxation.
American	$2,000,000	$160,000	$50,000
English	2,000,000	160,000	1,600
Discrimination in tax against American line			$48,400

Forty-eight thousand dollars a year for the privilege of carrying the American flag! And this must be paid whether the net earnings are eight or four per cent., or even if the ships are tied to the dock. Let us have this restrictive tax removed before we cry "free ships," and say Americans cannot build ships. And to show that the matter of "free ships" has nothing whatever to do with this supreme difficulty, suppose the Inman and the Cunard lines, both going to the same yard for their ships and buying them on equal terms, were seeking for capital (the getting of which would depend on what dividends they could earn), and the Inman line was taxed two per cent. more on its property than the other, would not the Cunard line raise all the capital, and the other not only fail to raise any, but be forced out of the competition? There could be no other result. Let our Government simply place us on equal conditions with other peoples, so that our capital can be put into competition with foreign capital with a fair prospect of return, and I guarantee that there will be no trouble about first cost. As a proof of that, we have no difficulty in raising capital to be put into large American-built ocean steamers for the coasting trade, where it will be subject to the same laws, rates, and taxation as the other capital employed in that trade. But when we undertake to put capital into the foreign trade, we bring it into competition with the capital of other peoples, who have more favorable conditions of interest, taxation, and labor, and there we find the hunt for capital a vain one. The only way to get it is for our Government to pursue the same policy that England did when she was in a like condition—encourage capital to invest by opening up new markets through the establishment of mail steam-ship lines. Moreover, we urgently need these new markets, and there is no other means except superior facilities of communication, mail and passenger, whereby we can obtain them. Some may say in this connection that England gave her merchants the privilege to buy ships where they pleased. But she first provided the means to furnish them ships cheaper than anybody else could. Indeed, there was nobody else then that could build iron ships, and England never bought an iron ship abroad. If she had been obliged to, she would not own as many as she does.

We do not build ships, as I have said, because it is not profitable to run them. Official figures show that during the war our ship-owners sold to the Government 600,000 and to foreigners

801,345 tons of shipping. After the war, between 1866 and 1878, high taxes and cost of running compelled our merchants to sell 348,845 tons more, for less than they could be replaced in any part of the world. This made a grand total of 1,749,190 tons, or *nearly two million tons* of American shipping sold because ownership was not profitable under our laws. What had the navigation laws to do with this shrinkage in our shipping, I should like to know? And what remedy would a "free-ship" bill have been in that instance?

The key to unlock the world's commerce is the fast mail ship. How did England turn this key? Since 1837 she has paid two hundred and twenty-two million five hundred thousand dollars in mail compensation and bounties to encourage her capitalists to invest in these fast iron mail steam-ships, as follows:

From General Post-Office, 1837 to 1849	$25,000,000
From Mercantile Marine Fund	37,500,000
From General Post-Office, 1850 to 1859 (over)	60,000,000
From " " 1860 to 1869	50,000,000
From " " 1870 to 1879	50,000,000
Assistance from British Treasury to her shipping since 1837	$222,500,000

It is said that she paid much of this vast sum for mail service to her colonies. That is no answer. Why did England fight to gain and keep those colonies? Surely not from any love she bore them. Has she not just been at war with the Boers, because they wanted to build a railroad that was for their interest, but would divert trade from her? She cared nothing for her colonies, except as she could use them for her benefit. She favored them only because she wanted them as markets for her surplus manufactures and to provide her with raw material; and she gave them rapid communication with herself, so that no other country could come in and get away their trade. She would like to do the same thing with us, taking our bread and cotton and giving us back her manufactures. England's mail compensation was a subsidy paid to help her control trade, and she indirectly taxed her colonies to raise the subsidy which she paid to her own ships, built and owned at home. That was England's policy with her colonies, and you can call it nothing less than taking money from the English treasury to encourage the investment of capital in

ships. But this policy was not confined to the colonies. They only got their proportion of the money so spent. And it should be remembered that at the very time England began this policy of mail pay, she was the only nation that could build the iron ship. Yet she began to pay out that two hundred and twenty-two million five hundred thousand dollars, as the circumstances required, both to draw capital and discourage competition. And to-day she is proof of the wisdom of that policy, which has repaid her ten thousand fold, and given her, one might say, the power to control the commerce of the world.

Now, how did the United States turn this key? I will give you an illustration. The following will show the encouragement in the way of mail compensation given by our Government last year to American shipping engaged in opening new markets in the foreign trade:

Lines.	No. Ships.	Miles Traveled.	Mail Pay.
New York to San Francisco, China, Japan, Australia, and return	18	681,877	$24,410
Brazil Line, New York to St. Thomas, Para, Pernambuco, Bahia, and Rio	3	140,000	1,875
Havana Line, New York to Havana	3	128,960	2,444*
South Side Line, New York to Santiago de Cuba	3	43,472	76*
Mexican Line, New York to Vera Cruz	5	187,000	2,600
Total	32	1,181,309	$31,405

Contrast with this showing the following, which gives the amount paid annually to five lines which carry the mails in the coasting trade:

Lines.	Miles Traveled.	Mail Pay.
Galveston to Brashear, Tex	58,500	$50,000
Cedar Keys to Key West, Fla	48,880	18,000
San Francisco to Portland, Oregon	69,680	25,000
Portland to Sitka	16,020	34,800
Portland to Astoria	54,880	14,906
Total	247,960	$142,706

* The Havana Line had to pay $600 for bringing mail from quarantine by special boat, and $520 cost of delivery and collection, leaving a net mail earning of $1,324. The South Side Line paid for mail expressage, in its sixteen trips, $160, leaving *a net loss for carrying the mails of* $83.06.

Thus the account stands:

Lines in foreign trade carry mails 1,181,309 miles for..... $31,405
Lines in coasting trade carry mails 247,960 miles for..... 142,706
Lines in foreign trade carry more miles by 933,349 for less pay by 111,301
Or, counting by miles, the pay for carrying foreign mails is 2½ *cents per mile,* while for domestic mails it is 57½ *cents per mile.*

That is the discrimination we make against capital the moment it is put into the foreign trade.* What we pay to the coasting lines is never denounced as *subsidy;* but when it is proposed to pay a like reasonable mail compensation to the foreign trade lines, what a righteous outcry of "Subsidy!" "Subsidy!" goes up from the demagogues all over the land. The trade between the United States and the nations of South America, China, and Japan amounts to about one hundred and fifty millions a year. But there exist no mail facilities direct between them and this country, save as our Government forces these ships to carry its mails to and fro. And yet we expect to have trade with or without postal communication.

And right here comes in that monstrous injustice that makes so great a difference between the coasting and foreign lines. The former are paid for mail service by contract to the lowest responsible bidder; the latter are compelled to carry the mails for sea-postage merely, under the following law:

"U. S. REVISED STATUTES, Section 3976.—The master of any vessel of the United States, bound from any port therein to any foreign port, or from any foreign port to any port in the United States, shall, before clearance, receive on board and securely convey all such mails as the Post-office Department, or any diplomatic or consular agent abroad, shall offer; and he shall promptly deliver the same, at the port of destination, to the proper officer, for which he shall receive *two cents* for every letter so delivered; and upon the entry of every such vessel returning from any foreign port, the master thereof shall make oath that he has promptly delivered all the mail placed on board said vessel before clearance from the United States; and if he fail to make such oath, the vessel shall not be entitled to the privileges of a vessel of the United States."

How can you expect to get capital to build fast mail ships for the foreign carrying trade under such a law as that? And how, without means to secure quick communication, quick delivery,

* The Mexican Government alone pays one hundred and thirty-four thousand dollars a year for mail service to this country, or nearly as much as we pay for all our foreign mail service.

and quick returns,—the life of trade,—can you expect to build up commerce? The "free-ship" man says we cannot build ships, but says nothing about these reasons why we cannot run them. Remove unjust and prohibitive laws, create a demand for ships, and nothing more will be heard about our being unable to build. Look at what we have done with the locomotive. In 1830 not one locomotive engine had been built in America, and we imported two. Soon we began to build a few, as experiments. No doubt they cost more than those bought in England; but there was a demand for them, and the building went on. What was the result? January 1, 1879, their number in use in this country was 16,445, valued at $164,450,000. The number of freight cars in use was some 458,000, besides passenger and palace cars, the cost of all, at a low estimate, being $600,000,000, or a value for locomotives and cars of $764,450,000; add one-tenth of the total number, which must have been rebuilt five times since 1830, at a cost of, say, $382,225,000, and we have a grand total of $1,146,675,000, or about twice as much as England has invested in ships. Besides this, we export locomotives to Canada, New Brunswick, Nova Scotia, Mexico, Nicaragua, Central America, Chili, Peru, Argentine Republic, Brazil, Cuba, Porto Rico, Jamaica, Norway, Russia, New Zealand, Queenstown, New South Wales, Victoria, South Australia, and the Sandwich Islands. We have exported twenty million dollars' worth since 1870; and it will be seen that we have taken England's locomotive trade from her in her own colonies, because we can build the best and cheapest locomotive in the world to-day. We could not do it in the first ten years we built locomotives. Suppose, then, the "free-locomotive" advocates for such existed, who said we could not own locomotives unless we bought them of England, who could build them cheaper—had succeeded in their plans, and our locomotive-building had been strangled in its infancy, as efforts are now making to strangle ship-building, what would have been the evil consequences to this country? What should we have to show in place of this grand record? Should we not still be dependent upon England for locomotives? Any practical man will see what a difference this would have made to every American interest.

What is true of the locomotive will apply exactly to the ship. The locomotives and cars are built of iron, steel, and wood from the American forest and mine. Ninety per cent. of this enor-

mous sum has been spent at home for labor (which yet has not been reduced to the European starvation price), and has helped to give the farmer his great home market. By these American-built locomotives and cars, we bring our surplus products to the sea-board to put them into ships. But then we are told that we cannot build the ship, though it is built out of the same material, from the same forest and mine, and though the labor required to convert one hundred tons of pig iron into locomotives is much greater than it is to put it into the finished ship, and just as high priced. But we had a policy for building the locomotive—by finding a use for it—and you see the result. That policy of holding out inducements to capital, by which England built up her shipping (her grants amounting to $222,500,000) and America her railroads (our Government grants to railroads amounting to $144,213,078), is the policy which alone will build up for us an ocean carrying trade, such as not only rightfully belongs to us, but is absolutely essential to our future commercial and industrial growth and prosperity. England's policy made a demand for the ship, America's for the locomotive and car, and the demand enabled each country to produce the cheapest article, the one in ships, the other in locomotives.

The same kind of demand will also enable us to build the ship at least as cheap as England can, and we already build a ship surpassed by none in the world.

The whole question resolves itself into this: Whether this country, with more goods to carry, with more need of ships, with more raw material to use, with better natural advantages, with the best skilled labor, and with more coast to defend, than any other country, shall be independent and build its own ships, thus encouraging all its industries and protecting its own labor, on which the foundations of this Government were laid, or shall become dependent entirely upon a foreign nation for ships, and let its own working-men shift for themselves when the bread has been taken from their mouths? To do the latter would be to refuse the advantages God has given us. Make this issue, and when the people come to understand it, there will be no question how they will decide.

JOHN ROACH.

THE LIFE-SAVING SERVICE.

It is a necessity of our human condition and of our national situation that the seas should be our highways. Every liquid league is a provocation and an allurement to adventure. Every adventure is a peril. No precaution can entirely insure safety to property and life upon this mobile and tempestuous element.

The Life-Saving Service is more than is indicated by the title. It is also a property-saving service. It has, too, its houses of refuge for the castaways who may survive disaster. More than this: by its signal-lights and vigilance, upon the shore, it has saved and is saving vessels and life, by warning them of fatal nearness to the breakers; while in various other ways—as in bestowing medals for daring in life-saving, in saving property from fire, and rescuing ice-bound vessels—it has a larger round of humane employment than is generally supposed.

Is the constitutionality or cost of such a system to be regarded?

As to the constitutionality: the nicest stickler for strict construction never contested that canon of interpretation which places life-saving hand in hand with the light-house system, and puts both under the federal constitutional clause which "regulates commerce."

The expenditures on account of the Life-Saving Service for each year since November 1, 1871, is shown in the Annual Report for the fiscal year ending June 30, 1880, not yet published.

The running expenses have reached $2,031,243.88. Add the cost of building the stations and fitting them up, $591,472.71, and the total is $2,622,716.59.

Has there not been, in the rescue of twelve million one hundred and thirty thousand dollars' worth of property, compensation for this outlay? It is not claimed that the entire amount speci-

fied as "property saved" would have been lost but for the life-saving service; because it has at times been assisted by other agencies; and sometimes the sea gives up what would seem lost.

The application of the system to our immense sea and lake coasts of ten thousand miles is recent. Its benefactions belong to the generation not yet half gone by. The service never began to have an active, compensatory, and useful existence until the appropriation, in 1869, for the employment of crews of surfmen at alternate stations. Anterior to this advancement of the service—which was signal, because it opened the way for the general employment of crews at all the stations—there was no federal life-saving service worth the name. At the end of the last century there were associations looking to this end and other kindred benevolent objects in Massachusetts; while in the Jersey pines and at Nag's Harbor, on the southern coast, the associations of "wreckers" were anything but life or property saving. Some aid was extended by the general Government as early as 1849; but these efforts were sporadic and ineffectual. They had not the energy or purse of the general Government, but were limited to a few isolated shanties, some awkward boats, and rotting ropes. These soon fell into disuse and decay, with the cessation of the spasmodic efforts which gave them existence.

Ten years have elapsed since the writer begged, from a reluctant Congress, ten thousand dollars, to test the employment of a paid patrol system on our worst coast. From this small beginning came an impulse which, in 1870–71, received fresh momentum from an accumulation of marine disasters. On the 20th of April, 1871, Congress appropriated two hundred thousand dollars, and authorized the employment of crews for such time and at such places as the Secretary of the Treasury might deem best. From that time progress was assured. It was made sure under the direction of S. I. Kimball, now general superintendent, and J. H. Merriman, now so honorably identified with this service as a captain of the revenue marine, and then associated in a commission with Captain Faunce, of the same corps.

Out of these inauspicious beginnings, and with the vigor of the law of 1878, the establishment has grown to one hundred and seventy-nine stations. Of these, one hundred and thirty-nine are upon the Atlantic, thirty-four upon the lakes, and six upon the Pacific. The last Congress added one inland, at the Louis-

ville dam,—an innovation, but a useful one. Its system of inspection, under the eye of the revenue marine corps, especially fitted by their other duties for that purpose, is as searching as its plan of accountability under that statute.

The last year, ending with June 30, 1880, showed a larger number of casualties to vessels than any previous year. Its report records a more effective service than that of any previous year. Whereas the highest of the years preceding shows two hundred and nineteen disasters which were within the reach of the service, the year ending June, 1880, shows three hundred.

When the record is made of persons saved from these stranded vessels, it is not meant that they would, *ex necessitate*, have been lost; for there are marvelous "sea changes" upon the face as well as in the depths of the ocean. The moods of the coquette are not more capricious than those of the wind-tossed and tide-heaved sea. It is only meant that when, last year, one thousand nine hundred and eighty-nine persons were on board of stranded vessels, out of which only nine were lost, that the one thousand nine hundred and eighty imperiled were rescued, who, but for the service, would probably have been lost.

The lake service has been singularly efficient, although of more recent origin and requiring peculiar methods. Taking its figures from the time they were collected under the act of June 20, 1874, and comparing them with those of other years, this astounding, encouraging, and felicitous result, extracted from the report of 1879, appears:

Fiscal year.	Number of casualties.	Number of persons on board.	Number of lives lost.	Ratio of lives lost to number on board.	Ratio of lives lost to number of casualties.
1875-'76.....	515	4,723	87	As 1 to 54.28	As 1 to 5.91
1876-'77.....	295	2,954	49	As 1 to 60.28	As 1 to 6.02
1877-'78.....	470	4,309	42	As 1 to 102.59	As 1 to 11.19
1878-'79.....	408	4,110	19	As 1 to 216.31	As 1 to 21.47

Not counting as the best benefaction the succor of the shipwrecked at the stations, nor the value of the vessels and cargoes involved (it being, last year, three million eight hundred and eleven thousand seven hundred dollars, of which two million six hundred and nineteen thousand eight hundred and seven dollars was saved); not heeding the losses, as to whether total or partial;—is it not of capital interest to note the improved instrumentalities and refined heroism employed and displayed for this noble purpose? Our first and most romantic picture of the serv-

ice, doubtless, is the life-boat. The self-righting and self-baling life-boat,—is it not of itself almost vital, even without human energy at oar and rudder? Does it not defy the hungry surf and its wild growling? For its career, has it not been accounted worthy of the weird pencil of Turner, and in many a lyric song been celebrated by the Muse? Its successes are not merely poetical. Its utilities are pronounced in every storm. True, our mechanical time has produced other agencies, such as the signal-light, the mortar, the shot-line, the hawser, the life-car, the breeches-buoy, and many other contrivances and helps, like the telephone and storm-signal, which are known to invention and to our wrecking companies.

Among other auxiliaries are the life-saving dresses and cork-belts, not forgetting the Newfoundland dog. Physical comforts and intellectual food ought to be provided at the stations. These are now being, or soon will be, furnished by associations of benevolent women, who intend to make provision for the ship-wrecked and destitute. There is no ample or proper assistance rendered by the Government for these purposes. Besides, another reform to be made is the addition of one more to the present crew of six; that one should be left on shore, or in charge of the station, while the six pull the oars or man the gun, under the keeper's eye.

Nor should we fail to count the stalwart arm and brave heart of the surfman, ready to risk all to save human beings from undertow and breaker.

Without the surfman, all inventions fail. It is to his ready hand, sagacious eye, and equipoised head that we mainly owe the triumphs of the service. He acts under strict discipline, as well in his "beat" upon the shore as in his venture through the surf. The patrol system is directed by rigid rules. At night, and in fog, the surfman, at great peril, patrols the beach from two to four miles on each side of his station. His eye is on the sea. He bears a lantern for his guide, and a Costen light with which to warn, by its red flaring flame, the endangered vessel, or to signal those already stranded. At the station, where his five companions and keeper live, are the large life-boat and the small surf-boat. These, at his summons, are hauled by hand (why not by horse?), through blinding storm and wet sand, to the point where needed. If the boat cannot be used by reason of the overwhelming surf, then the gun and shot-line, block and hawser,

are put in requisition. How to fire the gun over six hundred yards, or nearly a half mile, in a tempest, and how the crew on shore and on the wreck are to assist each other and themselves in the various emergencies, is fully explained in regulations so plain that the seafaring man, on the wildest night, may not err therein.

Even upon the remote shores of our lakes (where, in one hundred and thirty-six disasters during the past year, only one single life was lost), these agencies challenge admiration and astound belief. It is possible, by telegraph and steam,—for the case happened,—even from Washington City, to provide with dispatch the means, and give directions to a far-off Ontario lake-coast station, for the rescue of men, women, and children, desperately clinging to dismantled fragments of wreck, amidst wintry storm and watery fury. In one instance, related by Captain Merriman, four wrecks upon a lake coast occupied the half of a station crew near their station, while the remainder were at work on a fifth wreck forty miles away, the same day, whither they had gone on a special train.

Since the establishment of the patrol system in 1871, what has been accomplished?

Before answering this question, it is proper to state that it is only since 1876 that a collection of statistics has been required by law, so that we cannot ascertain the number of wrecks and rescues before that period. Besides, the operations of the establishment for 1871–2 were limited to the Jersey and Long Island coast. In 1872–4 it was extended in a small way to New England, and in 1875 from Cape Henlopen to Cape Charles, and since 1876–7 to the eastern coast of Florida and to a portion of the lakes and Pacific. Because of the feebleness of the establishment, in its first experiments, and the distances of the stations from each other, we might well have expected disasters of magnitude. Such were the disasters to the Huron and Metropolis in that terrible season of 1877 and 1878, when one hundred and eighty-three lives were lost. In the case of the Huron, the stations were not then (November 24, 1877) open; and in the Metropolis case (January 31, 1878), the service was useless by reason of distance and other causes not necessary now to consider. The investigation developed them officially. Over a dozen wrecks of the same kind happened in the same season. In all, there were one hundred and seventy-one disasters that terrible year within the limits of the service.

But out of these very dangers "we plucked the flower of safety." These very losses startled the country, and aroused its phlegm into earnestness.

But in spite of all these drawbacks, how shines the record of life-saving since November 1, 1871? A general summary of disasters which have occurred within the scope of life-saving operations, from November 1, 1871 (the date of introduction of the present system), to the close of the fiscal year ending June 30, 1880, shows:

Total number of disasters	1,097
Total value of vessels	$13,339,073
Total value of cargoes	$7,118,662
Total value of property saved	$12,130,215
Total value of property lost	$8,327,520
Total number of persons on vessels	10,381
Total number of persons saved	10,010
Total number of lives lost	371
Total number of persons sheltered	2,203
Total number of days' shelter afforded	5,990

No garnish or rhetoric can add to the impressive meaning of these figures. In them, how much is there of human agony, yet how much for its relief!

With each year, and with the increase of our commerce and navigation, a larger field is opened to this service. Its merits are recognized not only by ship-owners, ship-masters, sailors, and passengers; but by the press and public, who, while admiring the heroism of the crews, are touched by the tender humanity and skillful science which sustains a system so preëminent in the world for its benignity.

We do not mean to disparage the English, French, or any other system. The French system has only been organized since 1865. It is, like that of all other countries but our own, voluntary and dissociated from government. The English system, also, is the creation of voluntary charity. The Government has no direct relation with it, and therefore it deserves what it receives—the legacies and donations of the British public, and the love of mankind. Still, might it not be more effective if it were under the Government? Comparing its results with our own system, during the last year, this will be answered in the affirmative. The committee of management of the Royal National Life-Boat Institution made its last

annual report on the first of May, 1880. It is only five pages long; and although not disappointing, yet, compared with the fullness of detail and amplitude of illustration in one of Mr. Superintendent Kimball's reports, not to speak of results, it is not satisfying. The index alone of our report of 1879—of important heads only—is double the whole of the English report. The drawings of the life-saving apparatus and inventions only make a volume equal to the formal reports of the English society during its half-century of valuable life. The dissertations upon the kind of boats, lines, carriages, and guns, the velocity of the wind, the kind of rockets and powder, the rules for restoring life, for manning the boats, and the discharges of the mortar; the compilation of disasters, showing date, locality, name of vessel, and its value and cargo, the property and lives saved and lost, is a model of valuable discussion and convenient tabulation. But not less interesting is the statement of the experiments for improving the machinery of the service. Still more interesting is the account, in detail, of each wreck, with the individual efforts made in the fierce contest with the furious elements.

Although the English report does, in gross, give the number of wrecks in one year, 1879, as 4436, with a loss of 892 lives, and a table showing by the months the number of life-boat launches as 206, the vessels saved as 21, and the lives saved as 637, and shows that other lives were saved by other means, for which rewards of silver and gold and vellum testimonials were tendered; and although it commends the rocket apparatus belonging to the Board of Trade, worked by the coast-guard and the volunteers, and thus gives us glimpses of a harmonious plan of action, still there is a dryness and inadequacy of result quite out of keeping with the warm-hearted benevolence upon which the system is founded.

One fact, however, stands out as a peak lit by celestial light, viz., that to the end of 1879, during the fifty-six years of its existence, this British institution, through its life-boats, and by special exertions, has saved 26,906 lives. During these years, it has raised and spent £508,000; and it has voted numerous medals, and much money, as rewards to the heroic saviors of life. This institution wears a crown more worthy of immortalization than the regalia of temporal power!

In nine years, our service has rescued over 10,000 lives, and

although our commerce is not so great as that of Great Britain, and our disasters, therefore, are fewer, still the gratification at our wonderful and growing success is none the less in comparison with the exertions and triumphs of so venerable an institution as that of Great Britain. It is impossible by phrases, however intense, to exaggerate the benefits thus conferred upon all mankind; for life-saving knows no nationality.

The growth of this system has been most remarkable since its vigorous re-organization under the law of 1878. That law gave a new impulse to the service. It not only added a larger sum for its needs, and methodized its plan of official accountability, even to the minutest details, but its execution, in the spirit of genuine civil service reform, enlightened humanity, and scientific progress, has vindicated the superlative advantage of non-partisanship in trusts not political. It has illustrated the utility of placing the right man in the right place, and that, too, without an ostentation of purity. Under no administration of the Treasury or the service, and by no pressure, has this service been prostituted. It is within my knowledge that the clause of the new bill which declares that the appointment of all officers and crews of the Life-Saving Service shall be made solely with reference to their fitness, and without reference to their political or party affiliations, has had a defiant and honorable exemplification in the recent political contest.

A principal reason for the efficiency of this service is, that men who know the coast and its local navigation, its currents, eddies, and bars,—fishermen and surfmen,—have been its agents. No "amateurs" have been employed. The deep-water sailor is not only not fitted, but he is unfitted, by his experience, to breast the breakers and overcome their force. By retaining this service in practiced and practical hands, its officers have achieved its victories.

This tribute and excellence may still be enhanced by additional legislation. I introduced a bill upon the 5th of March, 1880, which is substantially the bill of Senator Ferry, introduced on the 7th of January, 1881, which—after providing for additional stations and houses of refuge on the coasts of Maine, New Hampshire, Massachusetts, Delaware, and further south, as well as upon the lakes—provides for an indispensable increase of the compensation of superintendents. It also allows certain extra pay for extraordinary and gallant services at shipwrecks. It pro-

vides for additional bars to medals for new feats of heroism in rescuing life. It provides pensions for families whose heads, as members of the crew, have been lost in the line of their duty, like the gallant North Carolina surfmen, in 1876, who attempted the rescue of the Nuova Ottavia.

This bill has not yet become a law. In consequence of the loss of the Point au Barque's crew, in April, 1879, upon Lake Huron, and after much pertinacity, a thousand dollars was set apart for the five families of the heroic surfmen, frozen and lost in this disaster. This was done on an appropriation bill, and was only "in order" by reason of the forbearance of the House. This is mentioned to show that the representatives are not yet in sympathetic accord with the best sentiment of the people, upon this vital measure of benevolence. But is it not a cause for shame that we hesitate to award a small sum to the families of those who give their own lives to save and not to destroy human life?

As the administration of this service is more and more attested by results—as its head, Mr. Kimball, with a vigilance, anxiety, and activity unexampled, pursues the law and supplements its inadequacies by the elevated tone and sleepless courage of its execution, the highest function of good government becomes visible amidst and above the befogged and besotted policies and practices of selfish politicians. If it be that the highest refinement of civil polity is the pursuit and attainment of human happiness, what object of society can be named in comparison with this paragon of institutions! Humanity, more beautiful than art, and more profound than science, has bent over the sad seas, with their wild waves and wintry storms, her ethereal bow, unfolding its prism of promise. Its covenant removes the melancholy significance of the words of Jeremy Taylor, as to our mortal life: "A dark night and an ill guide, a boisterous sea and a broken cable, a hard rock and a rough wind, dash in pieces the fortunes of a whole family, and they that shall weep loudest are not yet entered into the storm, and yet have suffered shipwreck." What sanction more holy for our life-saving statutes than that of the preciousness of human life, illustrated in the fact and symbol of salvation by Him of Galilee who, walking upon the waters, stretched forth His hand to save!

S. S. Cox.

THE RUINS OF CENTRAL AMERICA.

PART VII.

It was the 30th of December when we arrived at the village of Palenque, having left the capital of Tabasco on the 10th. I will not weary the reader with details of the hardships and of the many tedious delays of the route.

The ruins of Palenque lie about eight miles to the south-east of the village from which they take their name, and are situate in the State of Chiapas, latitude 17° 30′ N., longitude 92° 25′ W. While waiting in the village for the means of transporting our baggage and apparatus to the ruins, I visited the church, and there found, built into the walls, outside, the two fine bass-reliefs which Stephens, in 1839, saw in the house of two old ladies, and which he in vain tried to purchase. One of these bass-reliefs is now in four pieces, unskillfully joined together. I will make casts of both.

December 31*st*.—Though the weather is unfavorable, we this morning began the work of making casts of the two bass-reliefs (which formerly adorned the two sides of the altar in the so-called Temple of War). A strong wind was blowing, and it was only with difficulty that we could handle the sheets of paper for the casts, yet we succeeded in copying one of the bass-reliefs; the other we must defer till to-morrow. The casts will, in all probability, have plenty of time to dry, for these are the holidays, and our Indians are all drunk, nor will they be sober again till two or three days after New Year's.

January 3*d*, 1881.—We are at the ruins of Palenque, and the impression they make upon me is profound. I saw them before when I was young, and thought them almost small. Now that I

am old, and can judge better of them, I find them imposing. This massive palace is a world by itself, and the artificial mountains that surround it are more than majestic—they are stupendous. Did the people who erected these monuments avail themselves of the natural eminences that stud the country, or are these amazing constructions entirely the handiwork of man? We will investigate.

But what changes twenty-two years have wrought in the general physiognomy of the palace! Portions of the walls have fallen; one face of the tower has crumbled away, and it was only with difficulty that we could clamber to the second story. The under-ground chambers of the palace appear to be an endless labyrinth. I compare what I see with Stephens's plan of the palace, and it seems to me that the plan has to be reconstructed—a work of enormous difficulty, considering the state of the ruins, and I doubt if we shall be able to accomplish it.

January 4th.—Work proceeds but slowly. Our laborers are provokingly lazy. We have cleared a portion of the ground about the palace, while in the interior of the first court we have not yet completed the clearing of the great sculptured tablets that adorn the two sides of the stair-way.

These tablets are of great size. On the left side, as you enter the court, there are five tablets, and on the right there are four. They are nearly ten feet in height, and the sculptured profiles of warriors are rudely executed. Though they are in very high relief, we will take casts of them.

On going out at the south-west corner of the palace, through an opening made by prior investigators, we found ourselves facing the pyramid on which stands the temple *de las Lazas*, to which I will give the name of Temple of Inscriptions, as containing a number of great tablets, covered with inscriptions, of which we intend to make casts. These tablets present a surface of some three hundred and twenty-three square feet. We took to-day a cast of the fine bass-relief in the court out of which rises the tower, and known as "Proserpine," but when will this cast be dry? It never will dry except by artificial means. The humidity is excessive, and already two of our fifteen Indians are down with fever.

January 5th.—In the principal court we have uncovered the great bass-reliefs at the entrance; as for those which face them on the west, we have uncovered only the four on the right-hand

side and the two great monoliths fronting the second corridor. The whole of the north side is buried in *débris*, and irreparably ruined. The bass-reliefs at the entrance of the court-yard on both sides of the stair-way measure 10.66 feet in height and 15.74 feet in width; there are four figures on the right and five on the left.

In the afternoon I directed my steps toward the Temple of the Cross No. 1,—for there are two,—but my guide lost his way, and we came upon the Temple of War. This Temple of War lies south of the palace, but the only means of reaching it is first by a steep ascent leading to a plateau, on which are the ruins of two temples; then after another very steep ascent you are at the Temple of War. Here we found three fine sculptured tablets of stone, of which we will make casts; they at one time formed the base of an altar.

January 6th.—We have cleared the palace in part, and have now to attend to details, preparatory to taking photographs. Of the bass-reliefs of the court-yard we will make casts as soon as the weather will permit. A party of Indian laborers are opening roads to all the four cardinal points. We visited the Temple of the Cross No. 2, where we found a cross, accompanied by human figures and hieroglyphics, as in the better-known Temple of the Cross No. 1. Our cast of the oblong stone in the palace, known as Proserpine, is a very good one, but it took two whole days to dry before a hot fire. When it comes to drying casts measuring about ten square yards, in the Temple of Inscriptions, we shall have serious difficulty.

The more I see of this palace, the more forcibly do its corridors remind me of the walks of a cloister. Its little apartments are like monks' cells, and the grand stair-ways leading down into the court-yard, with their steps each 16.92 inches high, could not have been intended for women's use. The place must have been the home of priests, and not of kings, and I still persist in the belief that this "palace" was inhabited by the priests who served the different temples round about; and that Palenque was a great religious center, like Lourdes, Rome, Jerusalem, Santiago de Compostella, Cholula, Izamal, and Cozumel.

Nevertheless, Palenque may have been a city, and a large one, too. To-day, as our men were opening the road to the south of the palace, at a point some 500 feet distant from that edifice they came upon three buildings, two of which are of the same style

as the temples, but without altars inside or sculptured tablets. Between these two stands a building some thirteen feet square, with a roof of the same construction as the tower of Comalcalco. The two larger buildings consist each of a large front chamber or hall, with two dark chambers in the rear, and, like all the temples, their columns were richly ornamented with bass-reliefs, of which only shapeless ruins now remain. Our laborers intend to leave us the day after to-morrow, and the other Indians that were to take their place should have arrived to-day; but they have not come, and we are in great straits.

January 7th.—Though our men are indifferent workers, we nevertheless have made some progress. The outlines of the palace are becoming visible, and its cornices and friezes, with their ornamentation, can be studied. To-day we found another pyramid, with the remains of a building upon it. Our men leave to-morrow, but we still await the coming of the others. Though I offered double pay to the men we have, not one of them would stay. I can hardly blame them, for just at present life here is an intolerable burden. It rains constantly, and the walls are dripping with moisture. Two of the Indians are down with fever. I made a cast of one of the three large stone tablets in the Temple of Inscriptions, and got together enough wood to dry it. This tablet is 9.18 feet wide and 6.50 feet in height, and contains one hundred and forty cartouches. I am very desirous of taking photographs of the front of this temple, but, despite the excellence of my instruments, nothing can be done. The humidity of the atmosphere has caused the wood to swell, and I shall have to dry the apparatus at the fire before I attempt to use it.

January 8th.—Neither sun nor moon to be seen; everlasting rain and mist! Our Indians are gone, and we are left to our own resources in the palace. I have requested a reënforcement of men from Palenque. Still, the day has not been without results. We have made a cast of another of the large tablets in the Temple of Inscriptions, and have discovered another group of buildings in ruins. One of these buildings had neither door nor window. What surprises us most is the utterly ruinous state of some of these monuments, while others of them are in a fair state of preservation.

January 10th.—Yesterday (Sunday) we devoted to caring for our casts in the Temple of Inscriptions. To-day fifteen laborers

AN IDOL.

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came to our assistance from Palenque. They look like good workmen. I at once set them to work, and in two hours they accomplished more than their predecessors would have done in a whole day. The palace will soon be free of rubbish.

January 11th.—The wind is in the north, the rain is pouring down, and my men can do nothing. I seize this opportunity to set forth my views concerning these American ruins.

It is a familiar axiom in science that nature does nothing *per saltum*, but advances by slow transformations; and we can follow her in her work, from the atom to the highest of created beings. The moral world presents the same phenomena as the physical, and the history of ideas pursues a course parallel to that of the history of individuals. How far back we must go in the past to trace the development of an invention or of an idea from its original germ to its perfect unfolding!

It is the same with civilizations, which never spring into being all complete, but which always have a lowly beginning; in our museums, we see the different stages through which they pass—from the neolithic age to the age of bronze, thence to the age of iron.

It is undoubted that our own civilization is descended from the civilization of the Greeks; still, more than twenty centuries separate us from the Greeks, and though our civil architecture differs totally from theirs, certain of our public edifices, the ornaments that adorn them and those which adorn our dwellings, are sufficient evidence that our arts in general are Grecian in origin.

Now, that which took place in the Old World has taken place also in the New: here, too, there was *one sole* impulsion toward civilization, and all the civilizations here are Toltec, as all the civilizations of Europe are Grecian. But, though on this continent the impulsion was a single one, as in Europe, it was much more direct here, and the march of civilization more rapid. In the course of eleven hundred years it spread from north to south among divers peoples, and everywhere on the high plateaus, as well as in Central America, Tabasco, Guatemala, and Yucatan, it was the Toltec himself who planted this civilization. But when he came among populations of greater density, or of greater power of resistance, he seems to have expended all his vigor, exhausted all his genius, in the erection of monuments, each richer, more striking, or more extravagant than the others.

This conqueror then fused with the conquered populations, and after undergoing their influence in the general plan of buildings, he imposes on them his ornamentation, just as we have inherited the ornamentation of the Greeks; he gave to them his vesture, his weapons, his personal ornaments, his astronomy, his method of reckoning time, his religion, his history; but he adopts their language, and then he blends with the mass and disappears in the storm of civil war, revolution, and conquest. The Toltec died out.

This is a point that hitherto has never been understood; and the great mistake of explorers is that they have studied each palace, each ruin, separately, without troubling themselves as to whether they had not all a common bond, and whether the civilizations they represent were not interrelated and sprung from one source. As in all other researches, so in this, the inquiry should have proceeded from the simple to the complex, and herein our work differs essentially from that of our predecessors. That this is the true method of investigation is proved by the results, for we have seen the problem resolve itself, and the whole history of American civilizations has been developed before our eyes. That history we will unfold later, in all its details.

This theory, it is true, does not include the primitive populations, neither does it take note of certain remote influences having their origin in mixtures of races or chance accessions of Japanese, Chinese, or Malay elements: but of these earliest races what can we ever hope to know? Nevertheless, this question will later be made the subject of a special study. In order to penetrate far back into the darkness of ages, we should need a moral microscope of unlimited power, and even then what should we know? Man is so ancient upon the earth, his origin dates so far back, that, behind the populations latest discovered, we see others looming in penumbra, and still others, just as in every drop of water, with the aid of higher microscopic powers, we discover, behind the infinitely minute, another world of the infinitely minute, and still another, *ad infinitum*.

DÉSIRÉ CHARNAY.

WHAT MORALITY HAVE WE LEFT?

At no time in the history of the world has there been such a rapid—I might say revolutionary—advance of opinion as within the last few years. As much progress is now made in a year as used to be in an age. Two or three years ago, intelligent men, though they had left Christianity behind, fondly clung to the idea that faith was not gone, and an evolutionist advertised for a new religion (July, 1878). Under the sentiment that then prevailed, the most intellectual university in this country started an endowment for its theological seminary, and made the religion it teaches, not Christianity, but a universal religion, in which a fair place might be given to Buddhism, which, though inane in its creed and abject in its requirements, is at least better than the religion of blood and perdition. This measure met with considerable opposition from our more advanced thinkers, who maintain that the day of all religions, even of Buddhism, has passed away forever. At this stage—that is, in the period of transition, when the old had not given way before the new—appeared the article written by an agnostic (September, 1879). About this time, one who pretends to all knowledge—the president of a college called by the late Professor Diman the Ehrenbretstein of orthodoxy—feeling that religion was tottering, formally avowed that there was truth in development—which, I may remark, will soon sweep away the half-way house which he has built, and to which some have retreated to shelter them from the floods. Since that time thought has taken another cataract leap, and, since the publication of Spencer's "Data of Ethics," our promising youth are everywhere inquiring into the foundations of morality, which had previously been considerably shaken by the doubts insinuated in Sidgwick's "Method of Ethics."

I am myself a graduate, of a few years' standing, of an orthodox college, of the Puritan type by heredity. That college has for the last year or two been considerably exercised about development; some of its teachers and a number of its independent-minded students rejoicing in the new light, while the great body of them are in a state of somnolence, from which they will soon have a terrible awakening. Here I may remark that the majority of the Middle States colleges are in much the same position—asleep on the edge of a volcano soon to burst. A few of the lately established colleges have the courage to make no profession of religion. With others the profession is hypocritical, as they are retaining the form merely to save appearances, which they will part with as soon as it can be done with safety. The scientific schools, I may add, have not studied the question; but, not having been instructed in any creed, they are nearly ready to join the advancing movement, as they know that development, which renders the interposition of God unnecessary, is as certain as gravitation, or any other law of nature.

I was trained by my mother (my father is not a professing Christian, and took no special charge of me) in a Puritan religion and morality somewhat relaxed. Her training in respect of the Sabbath and of amusements was not nearly so strict as that of her father and mother, and that was considerably below the model of their grandparents; still it was stiff enough, and was all founded on the Bible. In college I fell in, at first reluctantly, but afterward heartily, with the current of the times, with evolution and heredity; and was a great admirer of Huxley and Tyndall, and some of our professors who favored these views. I was greatly fascinated with the eloquence of the great Lynbrook preacher who, from time to time, visited our college, and with the freedom of opinion and of action which he allowed us; but, as he had no philosophy and no science, his teaching did not tend to stay or stablish me. Since my graduation, being free from all parental control and college restraints, I have set myself to ponder some very vital questions. Religion I know is gone, and all traditional belief regarding a supernatural power, the immortality of the soul, and a day of judgment. I have to consider where I now am. In particular, I have to settle whether there is any foundation left for morality.

First. My mother's morality is evidently gone. It was founded on the Hebrew Scriptures, and consisted in a constant appeal to

God. She taught me to pray in infancy, and made me go to church in my childhood. She bade me not to tell lies, assuring me that if I did so God would punish me. My father concurred, having evidently no other principle to inculcate. But all this grew less, and finally disappeared under my new teaching. Except on rare occasions, and when under impulse hereditary, I gave up prayer, as I had no God to pray to. When allured to evil, I am not sure what principle to fall back upon. If I avoid falsehood, it must be from some other consideration than the fear of hell.

Second. The ethical teaching of my college professor is also gone. My teacher belonged to what is called the "intuitive" school of morals, which has had mighty influence from the days of Bishop Butler. He founded morality upon instinct or intuition; or, as it is called since Kant's time, *a priori* reason—that is, upon a moral power, or conscience, regarded as an ultimate and independent arbiter. But all this mud has been undermined by a deeper digging. Hume and J. S. Mill ingeniously explained our moral convictions by association of ideas. But Herbert Spencer has shown in a profounder manner that these, like all other intuitive or necessary beliefs, are merely the product of the gathered experience of our ancestors, animal and human, through the ascidian, the mollusk, the monkey, on to man, and handed down by heredity. A power gendered of such materials cannot be regarded as infallible or entitled to claim supreme authority. The ancestry of conscience has been inquired into; and it has been shown to be as doubtful as apostolic succession, which has flowed through so corrupt a stream of popes.

Third. I took refuge for a time in utilitarianism, and then in hedonism. It seemed to me so beneficent to promote the welfare of all. In this way I got rid of that sour and ascetic, that stern and cruel morality which was displayed in burning witches by our Pilgrim forefathers. But my professor and his followers pressed me with the question: What sanction have we for the principle that every man ought to promote the greatest happiness of the greatest number? What, in fact, is to lead any one to look after everybody's, or, indeed, anybody's happiness, except his own? The religious man, they showed me, has a motive to induce him to follow this end. God has commanded him, and can encourage and reward those who do good. The intuitive moralist points to such a sanction in our essential nature, commanding him to love and obey God and do good. The two combined form

an amalgam with powerful attractions. But utilitarianism has in itself no such claim, obligation, or duty. At the imperfect stage which development has yet reached, I am afraid that the motive which utilitarianism supplies will not be able to prompt men to great actions or keep them from doing evil. We shall see that Mr. Spencer shows that it will be different when evolution has done its work.

Utilitarianism draws its plausibility very much from the ambiguity of certain phrases, such as "good," "a general welfare." If these are employed simply to denote pleasure or happiness, they are used appropriately enough. But the difficulty in that case is to show that there is any obligation to promote the general happiness or any happiness except our own, or, indeed, to promote our own ultimate happiness in preference to present pleasure or passion. But surreptitiously and illegitimately these phrases carry with them a meaning carried over from intuitive morals, and are understood as moral good which bring with them duty and obligation. But the ambiguous middle has been detected and exposed. The utilitarian theory would insist that men *ought* to promote the greatest happiness of the greatest number, but this *ought* is of the nature of an innate or *a priori* principle which all modern philosophy rejects. Intuitive morals founding on a law does insist that we should seek the happiness of the greatest number. But utilitarianism has no authority to go beyond saying that you may do so if you choose. If they do not choose, men are under no obligation to pursue any one's happiness except their own—not even their own permanent happiness.

Every one is led by instinct to seek pleasure. Hedonism is a native, natural, and genuine theory which has great attractions for me. But man is in fact led by other instincts, coming from brute ancestors, and differing in different individuals, such as appetites, attachments, loves, and hatreds. Each of these craves for gratification. These special appetences, the love of money, of sex, or of praise, have often greater power than the love of happiness to others, or even themselves. Men will often gratify their appetites or tempers, being quite aware that their doing so is contrary not only to the happiness of others, but to their own happiness. Most people will gratify their resentments, even though these should bring them into trouble.

Utilitarianism is thus seen to be powerless, logically and practically, unless it is supported by something foreign to itself. It

was brought forth and set up as a theory when it was seen that the innate or *a priori* was weak and ready to die. It kept back the advancing tide for a time, but has now been undermined and its defenses strewn to the waves.

Professor Sidgwick, of Cambridge, has a mighty name in England, as falling in with the spirit of the transition period. He is the most skilled man in our day in seeing and expounding doubts and difficulties. With great acuteness he has pointed out the illogical nature both of intuitionalism and utilitarianism. He is particularly successful in exposing the perplexities and uncertainties of the calculations which ordinary men are able to make of the greatest happiness of the greatest number in order to determine the path of duty for themselves, and the consequent liability to which they are exposed of making the wish the father of the thought. Having pierced each of the twins with his sharp lance, he has not been successful in his attempt to construct a living body of morals by tying the dead bodies together.

Left in this disheartening position, some of us were looking forward for years to Herbert Spencer's promised book on Ethics, the cap-stone of the grand building which it has taken him so long to erect. I expected to find in it an advance on all that has gone before, and a solution of the difficulties that still press on those of us who have given up the theological, the intuitive, and utilitarian ethics, and have left to us only the epicurean or hedonistic, without knowing how to justify it in demanding more than the appetite for the present pleasure. The work as a whole disappointed Mr. Spencer's numerous worshipers in this country. It has certainly not fulfilled the end which I expected from it. It is a book not so much on the data of ethics—that is, of the principles we are entitled to start with in ethics—as an exposition, very masterly I admit, of the grand moral results to be reached thousands of ages hence, when development, biological and sociological, has done its work.

He begins with an inquiry into conduct, which is defined as "acts adjusted to ends." This is his definition, which would apply to a burglar's key and a forger's signature. "Always acts are called good as they are well or ill adjusted." This tends to widen and liberalize ethics considerably. It contains one most important truth—he makes morality a means, and not an end, grim and inflexible, as our old moralists did. He maintains that the end in virtue is happiness; this makes him avowedly a hedon-

ist or utilitarian. I am not sure that his utilitarianism is in any respect different from or superior to that of Hume, Bentham, and Mill, though he thinks it is so. He stands up for rational utilitarianism. All right; but what are his reasons in this rationalism? The theological moralist has such a reason in the revealed law, the intuitionalist in the natural law, which laws require us to look to the general happiness. But where does Spencer get his data? He gets them from a long geological development, which the great body of people—men, women, and children—do not understand, and which the select few who do understand them may not value and will not be swayed by. He is perplexed, as all before him have been, with the difficulty of getting altruism out of self-love, when we have no independent moral law requiring altruism. He speaks of political, religious, and social sanctions. The religious sanction he has banished to the region of the unknown and unknowable, whence, happily, not even a ghost will ever come out to trouble us. The political and social sanctions must evidently depend on the general beliefs and sentiments of the community and of the age; and these, having no fixed moral standard like natural law or revealed law, will vary from age to age, and be different in one country from what they are in another.

But he has done one great service—he has drawn the distinction between absolute and relative morality. In this way he has delivered us young men from the inflexible morality which the theologians have been preaching—without practicing. The absolute morality applies only to a distant future; many will rejoice that for the present they are not under it. He tells us that "conduct which has any concomitant of pain or any painful consequence is partially wrong," and "the co-existence of a perfect man and an imperfect society is impossible." Unnumbered ages must run their course before there can be such morality. "Ethics has for its subject-matter that form which universal conduct assumes during the last stages of evolution"—adding, "these last stages in the evolution of being when man is forced by increase of numbers to live and move in presence of his fellows."

In the present state, which is one of struggle, man is under the relative ethics. Here, "it is the least wrong which is relatively right." He tells us that, "throughout a considerable part of conduct, no guiding, no method of estimation, enables to say whether a proposed course is even relatively—as causing proxi-

mately and remotely, specially and generally—the greatest surplus of good over all." He says truly, and greatly to our comfort, that, "as now carried on, life hourly sets the claims of present self against the claims of future self, and hourly brings individual interests face to face with the interests of other individuals, taken singly or as associates. In many such cases, the decisions can be nothing more than compromises." He illustrates this by the case of a farmer whose political principles prompt him to vote in opposition to his landlord. "The man in such a case has to balance the evil that may arise to his family against the evil that may arise to his country. In countless such cases no one can decide by which of the alternative courses the least wrong is likely to be done." This relative ethics stands in admirable relation to man as he now is. We see at once that it does not require us to make such sacrifices as the early Christians, the Waldensians, the Huguenots, the Puritans, and Covenanters made, without at all counting the cost of their sufferings against the happiness they might have had, had they taken the other alternative and submitted.

As an ethics for a hundred thousand years or ages hence, Spencer's Ethics is perfect and will be so acknowledged when that time comes. The fine nervous organization which constitutes Mr. Spencer's mind will then be dissolved and unconscious; but he will be thoroughly appreciated by the finer organizations dwelling on the earth, and placed above our highest philosophers and scientists. He does not announce very clearly the chronological relation between this period of perfect morality and the final conflagration which Spencer and all scientific men say is to close our present world that it may start anew. But all things are tending toward the era of absolute morality, when pain and what men call sin will have disappeared. In the struggle for excellence, all sharp points and roughnesses will be removed and everything become rounded and smoothed, as the pebbles which lie on our beach have been, by the dashing of the ocean currents. The heights having been ground down and the hollows filled, all will be one rich plain,—"every valley shall be filled and every mountain and hill shall be brought low." "The conduct to which we apply the name good," says Spencer, "is the relatively more evolved conduct." The jugglers in ancient Egypt, the gypsies, the hereditary thieves in our great cities, seem a considerably evolved class, and answer his definition; but they will

then be crushed out by something yet more evolved. In the struggle, the fittest will always survive, and the good will go down by heredity and become instinctive. "Swords will be turned into plowshares and spears into pruning-hooks"; for there will be no evil to fight against. All men, and women, and children will be moral, for nobody will have any motive to *sin*— that word which our *savans* carefully avoid, that thing which the popular religious creeds have created by their restrictions. Men will have a much more pleasant millennium than the Christian one, which makes the felicity proceed from a perpetual Sabbath and psalm-singing. Men will then do moral acts as "matters of course," as they eat, and sleep, and wed by the instincts gendered in them. Men will do moral acts without being conscious of it, without willing it, without meaning it. There will be no need of such deeds and sacrifices as were required of our heroes, for all will flow on according to our wishes. There will be no need of commandments which do so stir up rebellion in independent spirits, for all action will be natural and easy. As our great thinker says so profoundly: "The sense of duty or moral obligation is transitory and will diminish as fast as moralization increases."

Herbert Spencer's Ethics will certainly be the final ethics. But the question does press itself upon us, what is to be the ethics for the time now present and passing? What it is to be myriads of years hence is an interesting scientific problem. But man is yet in too undeveloped a state to be attracted by these distant motives, which have as little power over men or women generally as the most distant star or particle of star dust has on the motion of our earth. There needs, then, some man, very inferior it may be to Spencer, to draw out a provisional morality, always of the relative sort. Professor Fiske might be better employed in this supplementary work than in simply bringing out in graceful style the views which his master is quite competent to unfold and defend in his own robust way. For myself, I do feel that this final morality is not fitted to guide me in those critical struggles through which I have already passed, and through which I may yet have to pass. As a matter of fact, the world is not ready to be swayed and guided by the profound biological motives supplied by our having been evolved from the brute. It is quite accordant with the principles of evolution that, if the generation living at any one time does not keep to the

moral standard, the succeeding one will rather become worse, and heredity will transmit the evil to the ages that follow.

Fourth. The morality of conscience is gone. Everybody acknowledges the existence of conscience—no one more freely than Mr. Spencer; but it must be kept in its own place. A mist, an irradiated mist, has crowned it as a halo. It was believed to be the immediate gift of God, his vicegerent and his witness. But in our day they have had the courage to inquire into the authority of this imperious lord. They have made a search among the old geological records, and found its genealogy and its ancestry, and its lineage is not so heavenly as was supposed. "The intuitions of a moral faculty are the slowly organized results of experience received by the race," says Herbert Spencer. In fact, the conscience has been discovered to be merely a nervous structure. "I believe," says our authority, "that the experiences of utility, organized and consolidated through all past generations of the human race, have been producing corresponding nervous modifications, which by continued transmission and accumulation have become in us certain faculties of moral intuition." It thus appears that our conscience consists of nervous modifications become hereditary.

It is preposterous to represent such a functionary as revealing an unalterable and eternal law, or its necessitating us to believe in a perfect law or lawgiver. It is simply absurd to speak, with Butler, of its being entitled to decide anything infallibly and authoritatively. It is at best a mere impulse, like other nervous affections and appetites, which may be inconsistent and war against each other. It is now to be regarded, not as a king reigning with a divine right, but simply a subordinate, and by no means a very consistent or trustworthy officer in a republic. Being the product of circumstances, it has the force of the circumstances. It has the authority, not of God, but of our brute ancestors. The circumstances being to some extent the same, the decisions are so far alike. The circumstances being so far different, the judgments are also different. The conscience of the East does so far differ from that of the West; the conscience of the Jew from that of the Christian. So far from being infallible, it has often been a deceiver.

O Conscience, what crimes have been committed in thy name! Thy laws have often been more cruel than those of Draco, and should be written in blood. Claiming the authority

of God, thou hast so pictured, or rather caricatured, Him, as to make Him offensive to all benevolent minds. Calling thyself Duty, thou hast perverted all morality. Is there a crime which thou hast not at times sanctioned—murder among the Thugs, deceit among the Jesuits? When men have done evil, thou hast lent thy sanction, confirmed them in their wickedness, and aggravated their crimes. In all good conscience, as he claims, Saul breathed out threatenings and slaughter, and haled men and women to prison. The Inquisition, with its instruments of torture, is thy symbol. In obedience to thy command, good men have been burnt at the stake, or shut up in the darkness of the dungeon till they became maddened. What is vastly worse, thou hast in willfulness deprived whole communities of innocent enjoyments, and led multitudes to bow before the most abject superstitions, and to expose themselves to the most terrible lacerations.

Since my graduation, I have passed through serious scenes in this yet imperfectly evolved world, of which struggle for existence and for pleasure is the characteristic. I feel a delicacy in opening my heart to the public; but good may arise from doing so, as people cannot by mere general statements be made to understand the struggle passing through the minds of our thinking youth. Under precisely such a pressure as that which I have been able to bear, through the struggle between the past now gone and the future to come, a fellow-student of mine, high in the estimation of his college, cut his throat.

My father had, unfortunately, fallen into habits of intemperance, and there is a tendency in my nervous system to crave for excitement. When in college I lived in the circle of the most spirited youths of their quadrennial; and at times I had to drink, especially at certain meetings of the Greek Letter Society of which I was an enthusiastic member. My pen cannot describe the force of the resistance I had to offer. I enjoyed more than others our social meetings. I was always the most adventurous and most hilarious of them all. But next morning, what languor and lassitude! After too many excesses my conscience began to talk to me pretty loudly. But then I had learned that conscience was the product of circumstances, was merely a stage in the progress of things, and had, therefore, no binding authority. I did turn back at times to my mother's religion with a fond eye—as Eve, according to the myth, must have looked back on

the Garden of Eden. But a flaming sword, turning every way, prevented my entrance. Often, in my weakness, did I wish that there were only some one to forgive the past, and enable me to start with my burden removed. I was in a college in which there were occasional "revivals" of religion (so called), and I was all but carried along by the current of prevailing feeling. Some of the leaders were mere pretenders, and I scorned them. But others were genuine youths, and I accepted their offer to pray with me. But I could not join with them, being held back by the underlying unbelief, as the frost in the ground in winter keeps the genial rain from penetrating into the soil. Often did I wish that, like some of my classmates, I had a throne of grace to go to, and there unbosom myself. But, when I tried it, I got no answer from the supposed mercy-seat. My prayers came back upon me like vapors frozen into hail as they ascended. I reasonably concluded that the whole feeling was an illusion, gendered by the inherited superstitions of the past. I am thus left alone, and yet feeling at times as if I could not stand of myself. At such seasons, I feel as if I were entitled to demand that my masters should supply me with a morality suited to these moods of weakness—as I acknowledge them to be.

I feel a yet greater difficulty in opening another struggle, as *savans* call it—temptation, as my mother would have called it, proceeding on the obsolete theological creed. I was thrown in the way of a lady a few years older than myself, who had been unfortunate in her marriage relation, quite as much as Mr. Lewes had been when he fell in with Miss Evans. She had been treated inhumanly by her husband, and yet had no proof of any criminal act on his part such as would secure her a divorce in the old-fashioned State of New Jersey, in which she lived, and which is so far behind the more advanced State in which I sojourn. I listened sympathizingly to her tale; I felt for her deeply; I admired her full-blossomed and flamboyant beauty, and her lively spirit, and soon a softer feeling was kindled, ran through my veins, and penetrated my whole frame. What was I to do? Ask her to unite her destiny to mine? I consulted my authorities. During my struggle the "Data of Ethics" was published. I turned eagerly to it, expecting a solution, only to find that the mighty speculator had not faced the subject. I turned to my models,—to Goethe, my favorite poet; to Mill and Comte, my philosophers, before Spencer superseded them; to Miss Evans,

my analytic novelist, who penetrates human motives as distinctly as I see the springs and wheels of my clock on the mantel-piece. I read Wilhelm Meister, and was, I confess, somewhat disgusted with its filth, while I admired its genius. Sympathizingly, I wept over the sorrows of Werther. Getting no guiding principle from these quarters, under an irresistible impulse I offered myself to her. Though she had encouraged my attentions, and allowed me liberties such as no married woman should have done, she declined my overture, and had the impertinence to give as a reason that I had no religion, to which I had to reply that at least I knew that she had none. This altercation brought on a counter irritation, which so far conquered my love-sickness. The question often occurs to me, in what state I should have been had she accepted my offer.

I am still a young man, with the world before me,—the only world I believe in. My mother died lately. I waited upon her in her dying hours. I listened to her prayers and her counsels, but could not in honesty give her the consolation of falling in with them. My father is about to take a second wife,—a widow with children,—and I see crucial questions arising before me as to family property and domestic relationship in which I must be sorely tried. My profession being the hard one of a lawyer has also its slippery positions. At times I feel as if I needed a power behind to uphold me. But I know that this is only the remains of hereditary prejudice, with which posterity in its more evolved state will not be troubled.

I protest against the thought that I am seeking to injure morality; this would make me either a fool or a madman. I am simply lopping off the rotten branches, that the tree may be healthier. Much, indeed, of what has hitherto been regarded as morality must be abandoned; we have to part with the weak limb if the body is to be kept alive. The old tables of the law supposed to have been given by God at Mount Sinai, and which are as forbidding and as sterile as that granite mountain, have now been as effectually shattered in pieces as when Moses threw them down as he saw the liberty the people craved. The first table cannot be mended, as we cannot be bound to love the Lord with all our heart when we know that the flaw in the argument for the Divine existence has been detected and exposed. It will not do in this age to rewrite the inscriptions on the second table, as all of them are provokingly prohibitory, and some of them are quite

antiquated and require to be changed and made less repulsive. When everything else is improving, when religion is waning and science brightening, it is time that morality were putting on a new face. If a stern religion like Calvinism has given offense, I am sure a rigid morality has driven away a still greater number of promising youths. After all, morality has always been practically connected with faith, and when we have parted with the old religion we shall have to part also with the old morality. A new and relaxed edition of the commandments must be provided and published,—no, not of the *commandments*, for there is no one to command them; but of the *invitations*, which must all (fewer than ten will serve) appear in a gay dress, and with smiles on their faces to attract young men and maidens. I am not competent to draw out this law; our leaders must do it. I can, however, point out a few things which must be attended to in the construction.

First. We cannot insist any longer that in order to be morally right good must proceed from love. Love cannot be commanded. According to the old law, goodness was supposed to consist in law and love; the law has disappeared, as there is no lawgiver, and the love cannot be insisted on. Love has no fundamental place in the morality of our great masters, such as Mill and Spencer. The latter rejects it. He rejects expressly all those theories: "(1) Those theories that look to the character of the agent; (2) to the nature of the motives; (3) the quality of the deeds." There is a difficulty in showing how the great body of mankind can be induced to do the outward act, to keep from equivocation and evil-speaking, and to live honestly and purely in all circumstances, unless they are swayed by love. A provision must be made to secure this for the present generation in the new code. We shall see that this is provided by Spencer in the latter stages of development, when all men will be moral.

Second. There must be an allowance made for breaches of the law. Our stiff divines and moralists have been acting on a very different principle. The law is said to be eternal and unchangeable, and then they argue legitimately, if you admit their premises, that all men are under a heavy condemnation or curse—a tenet which weighs down so many buoyant spirits and makes them believe that exertion is useless because hopeless. All mankind—even the best—do in fact transgress; and it is surely wiser to permit them to do what we cannot prevent. The father acts in

this way toward his children, if he is not to be viewed by them as a tyrant, and we may act in the same way toward grown-up children. No doubt our opponents will puzzle us with the question: how great is the license to be? For on such a principle every one will feel himself to be at liberty to go aside from the straight line in his own way—one by relaxing the law of speaking the truth; another the law of filial obedience; another the law of temperance; another the law of chastity or of rigid honesty. I admit that there must be rules or understandings on this subject prescribed with statesman-like wisdom. This is one of the desiderata of our time which I am urging our leaders to supply. Meanwhile, one thing is clear: the law can continue to stand only by being accommodated to the times and the actual practice of mankind. "The Sabbath was made for man, and not man for the Sabbath." On the same principle, the law must be made for man, and not man for the law.

Third. In our expurgated moral code we must leave out a great many virtues and graces (as they call them), and cease from calling the absence of them a sin. Half of the graces recommended by the Galilean in his "Sermon on the Mount," usually reckoned the New Testament version of the law by his followers, De Kempis, Calvin, and Edwards, should be omitted; such as poverty of spirit, humility, meekness, sorrow for sin, self-sacrifice! I agree with Hume in regarding these as simply showing abjectness of spirit and as being inconsistent with that manliness which has led to the glorious deeds of which our world is proud. It is a maxim in jurisprudence not to prescribe laws which cannot be obeyed, and which therefore only provoke a multiplication of offenses. It is time that a like principle be laid down in morality. Spencer has so far helped this important practical principle by drawing the distinction between absolute and relative morality, the latter suiting itself to circumstances.

Fourth. Certain acts forbidden by divines, by ascetics, and by our Puritan forefathers, must be freely allowed. The ball-room must be thrown open ungrudgingly, even the masquerade ball, which calls forth the actor talent. The theater, so far from being denounced, must be encouraged, as one of our schools of refinement and virtue, and giving us deep insight into human character. We are not to be prevented from receiving enjoyment from the genius of Sara Bernhardt by prudish considerations, which in most cases are pharisaic. In lessening the number of

commandments (the word is irritating) we should certainly leave out the fourth, requiring us to remember (we should rather seek to forget) the Sabbath to keep it holy (that is in attending preaching conventicles); though of course health and convenience will persuade us to adopt practical means for giving leisure to the working classes and to all men, amusements being provided. Happily, the great men who are doing most to widen the boundaries of science are also seeking to remove the restrictions to Sabbath freedom. Huxley and Tyndall, by their lectures, have struck a blow at the Puritan Sabbath from which it will never recover, though it may continue to kick and groan till it breathes its last. By the removal of such restrictions, the number of supposed sins will be much diminished and painful reproaches become few and slight.

Fifth. In regard to the marriage relation, our leaders have not spoken out with their usual clearness. It looks as if they were afraid. Those who follow them will not be. It is evident that they all approve of some modification of the Biblical law, and have hinted that it ought to be changed. What they have not codified they have recommended by their example. Goethe lived a considerable portion of his life with his housekeeper as if she were his wife. Comte, founder of positivism, the immediate predecessor of agnosticism, had a rapt admiration of Clotilde, his wife being still alive. John Mill made love to the druggist's wife while her husband was living. Miss Evans lived with Mr. Lewes while his wife was not dead. I observe with interest that portions of the religious (so called) press are speaking of this lady as having very pious instincts, and dying with Thomas à Kempis near her bed, and a defense of Spinoza not far off. These are the signs and precursors of what is coming, the streaks of light that forecast the dawn. The wide license given to divorce in a number of the American States, and the thousands of women in each of our great cities ready to welcome all who call, clearly indicates that there must be some regulated system of liberty. But the time has not yet just come for speaking out on this subject.

At times I heave a sigh because the old moral truths are dissolving one by one. But I confess I do not feel so much in parting with the cold and musty morality as with the warm religious truths. Professor Goldwin Smith, who, though a bright writer, has never got adjusted into his proper place (dis-

contented with his own Oxford, and America not contented with him), thinks we are living in a moral interregnum. Such interregna are dangerous, as the old kingdom is gone and the new republic has not got its authority recognized. No one feels this more than Herbert Spencer. "Few things," he says, "can happen more disastrous than the decay and death of a regulative system no longer fit before another and fitter regulative system has grown up to replace it." I know how foolish it is to move out of a house that has sheltered us till another has been provided. But our masters have told all men that the old house is unstable, the rotten ship is sinking, and it is only common prudence to escape, in the hope of meeting, in the broad ocean on which we are cast, some vessel to take us in. I confess I see no such vessel near me, though I know that there is a grand land at a distance. In the year 1744, Hume was a candidate for the chair of Moral Philosophy in Edinburgh University, but did not get the appointment, as people at that stage did not see what morals he could teach their young men in consistency with his system of nescience and atheism. He had, in consequence, no opportunity of constructing a positive system of ethics; and no one since his day has taken up the work. The college in which I was educated did not supply this want, and some of us have had to suffer all the evils of the interregnum. Our president opposed the new light coming in upon us. A professor gave us Spencer's political science, but did not take up the morality which ought to underlie and bear up all social laws. I have given my reasons for not being satisfied with Spencer's structure, which has no foundation to rest on till long ages have passed, and leaves a thousand practical questions unanswered. We are arrived at the same stage in morals as we were a few years ago in religion. Just as the evolutionist a few years ago placed in this journal "An Advertisement for a New Religion," so do I now formally insert *An Advertisement for a New Morality.*

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NORTH AMERICAN REVIEW.

No. CCXCV.

JUNE, 1881.

OUR FUTURE FISCAL POLICY.

In December, 1860, when the National Debt was less than $65,000,000, proposals were invited, by the Secretary of the Treasury, for $5,000,000 of Treasury notes (the amount required to meet debts falling due and payable on the 1st of January following), to bear such rates of interest as might be proposed by bidders and agreed to by the Secretary. For these notes, bids to the amount of $1,831,000, at twelve per cent. interest, were accepted, and bids for $465,000, at from fifteen to thirty-six per cent. interest, were rejected. Soon after, the balance of this loan ($3,169,000) was taken by the Bank of Commerce, New York, and its associates, at twelve per cent. interest. Such was the credit of the Government when the country, although disturbed by the threatened secession of some of the Southern States, was in an unusually prosperous condition.

In February, 1861, proposals were invited for $8,000,000 of six-per-cent. twenty-year bonds. Offers for these to the amount of $8,006,000, at ninety per cent., were accepted, and offers for $6,454,250, at a lower rate than ninety, were rejected.

In March following, proposals were invited for $8,000,000 more of the same kind of bonds, for which offers to the amount of $3,099,000, at ninety-four per cent. and upward, were accepted (there were but three bids amounting to $21,000 above ninety-four), and offers for $23,983,000, at less than ninety-four, were rejected.

On the 12th of April, 1861, the bombardment of Fort Sumter was commenced, and the Government became involved in a civil war which proved to be of gigantic proportions and unexampled severity and expensiveness, for which it was utterly unprepared, the public revenues being insufficient to cover current expenses in a time of peace. At the extra session of Congress, in the summer of 1861, the tariff was somewhat modified, for the purpose of increasing the revenue; but in his report of December 9th, the Secretary of the Treasury estimated the amount from all sources, for the year ending on the 30th of June, 1862, at $54,552,665, so that, to meet the great and rapidly increasing expenses of the war, borrowing was the only resource, in which direction, as we have seen, the prospect was the reverse of encouraging. It was at this, the most trying crisis of our finances, that the banks of Boston, New York, and Philadelphia came to the rescue of the Government in a manner that entitles them to the lasting gratitude of the people, by not only supplying the Treasury with a large amount of money, but in giving—by the confidence which their action expressed that the Union would be maintained—a lift to the national credit which was felt throughout the war. In August, 1861, the Secretary of the Treasury (Mr. Chase) invited representatives of these banks to meet him in New York for consultation in regard to the measures which should be adopted for the relief of the Treasury. The invitation was promptly accepted, and, as the result of the conference, the banks agreed to lend to the Government $50,000,000; the Secretary, on his part, agreeing that books should be opened for public subscriptions to a national loan, to reimburse the banks for their advances, and to deliver to them notes bearing seven and three-tenths per cent. interest for the amount not thus reimbursed. The banks further agreed that when the $50,000,000 had been expended they would lend to the Government $50,000,000 more, on the same terms.

This second loan was made in October, when the first had been but partially reimbursed. In November, they made a third loan to the Government of an equal amount at seven per cent. interest, upon twenty-year six-per-cent. bonds, which, reduced to the equivalent of seven per cent., netted to the Treasury $45,795,478. The banks of these three cities thus became lenders to the Government, at a time when the Union forces were meeting with severe reverses, of an amount far exceeding their aggregate capital, and committed themselves, and, to a large extent,

their correspondent banks throughout the loyal States, to the cause of the Government in the mighty war in which it was engaged. The value of the aid thus rendered to it can hardly be overestimated. It strengthened the hands of the Secretary and the faith of the loyal people. As the banks of these cities had been distinguished for their conservatism, the fact that they were willing thus to dedicate themselves to their country gave to the national credit the vitality which was required to prepare the way for the enormous loans which followed and were successfully placed. Few records are more interesting than would be that of this conference between the Secretary and the banks in this great financial crisis. If such a record exists, it ought to be made public. There must have been earnest debates before the stand was taken by the banks which relieved the pressing wants of the Treasury, and did much to place the national credit upon the firm basis upon which it has since rested—popular confidence in the national integrity and the national honor, with unyielding determination on the part of the people that both shall be maintained forever.

It does not detract from the merit of the banks that their action resulted in profit. It was unquestionably hazardous and patriotic. It was one of the numerous instances, and the most prominent of all, in our financial history, in which fidelity to the Government and pecuniary gain went hand in hand. I allude to it because it was a turning-point in the national credit, and because I have seen no reference to it except in the newspapers at the time, and in Mr. Chase's report.

It is not probable that the banks could have maintained specie payments throughout the war, or for any considerable period after its commencement, if these loans had not been made, but the suspension was precipitated by them. If the Sub-Treasury Act had not required that all Treasury drafts should be paid in coin, and that the Treasurer and Assistant Treasurer should be the sole custodians of the public moneys; or, if demand notes had not been issued, the banks (as gold, by reason of large importations of it from Europe at the commencement of the war, was unusually plentiful) might have continued to pay coin until, at least, the legal-tender notes were issued. If my memory is not at fault, the drafts drawn upon the two first loans were paid in coin, but a large part of the coin paid out on these drafts went speedily back to the banks in their current business. In the

meantime, however, large amounts of Government demand notes, receivable for all public dues, were issued, which took the place of gold, caused it to advance to a premium, and prevented its inflow to the banks. These notes were used by the Government in its various disbursements throughout the North, and the receipts of the banks which had made the loans, in deposits and payments, being chiefly in bank-notes, they were unable to continue to pay, either in coin or demand notes, the large Treasury drafts which were made upon them, and were forced to suspend specie payments. Of the $50,000,000 of these notes authorized to be issued, upward of $33,000,000 were in circulation at the time these banks suspended.

The suspension of these banks was speedily followed by an almost universal bank-suspension throughout the country. Usually bank-suspensions are calamitous. In this instance they were not, as they necessitated the creation of the national banking system—the most perfect and beneficial system which has been devised. It was obvious to the Secretary, as it must have been to all intelligent persons, that it would be quite impossible for the Treasury to meet the excessive demands of the War and Navy departments without the use of a paper currency. To the use of the notes of the suspended banks there were insuperable objections. As the banks were not redeeming their notes, there were not likely to be safe restrictions upon their issues. In some of the States, banks were prohibited from increasing their circulation when they were not redeeming it; but in a large majority of the States no such prohibition existed, and there was nothing to prevent the country from being flooded with bank-notes, which the Government could not safely receive in the collection of its revenues, even if the Sub-Treasury Act were repealed, nor honestly pay to its creditors. Under the State-bank system, as Mr. Chase tersely and correctly remarked: "Circulation was usually furnished by institutions of least actual capital, and was commonly in the reverse ratio of solvency." In these circumstances it became necessary that the Government should either rely entirely upon its own direct issues, or compel the banks to retire their unsecured or but partially secured notes, and to replace them with notes secured by Government bonds. The Secretary was too wise, and too well informed in regard to the results of large issues of notes by other nations and the American colonies, to recommend exclu-

sively the former. He considered in the existing emergency a limited issue of Government notes to be a necessity, but he was an earnest advocate of a national banking system, and so it happened that both measures were resorted to. Acting according to his advice, Congress authorized an issue of four hundred millions of legal-tender notes for temporary purposes, and required all banks of issue (this is the essence of the national banking system) to secure their notes by deposits of Government bonds in the Treasury, so that there might be a permanent bank-note circulation, which it would be safe for the Government to receive, and of uniform value throughout the Union. It is not my purpose to say anything about the constitutionality of the legal-tender acts. I have merely to remark that they would have been comparatively harmless, although they created a forced loan, if the provision which they contained that the holders might at their pleasure convert the notes issued under them into the five-twenty bonds had not been, as I think most unfortunately, repealed. It was the repeal of this provision which prevented the legal-tender notes from being absorbed at the close of the war, and so they continue to be a part, and a large part, of our circulating medium, and the larger part of our lawful money.

I have thus referred to the financial embarrassments of the Government immediately before the war, and in the early part of its existence, because it shows, by contrast, how wonderful has been the advancement of the public credit, and the circumstances under which our national banking system was brought into existence.

On the first day of September, 1865, the public debt reached its highest point, being, less cash in the Treasury, $2,757,689,571, of which only $1,109,568,191 was in bonds, the rest, $1,648,121,380, being in the form of interest-bearing temporary obligations and legal-tender and fractional notes. On the first of November, 1868, not only had the temporary obligations, amounting to over $1,200,000,000, been funded in bonds, without the slightest disturbance to business, but the public debt had been reduced, less cash in the Treasury, to $2,527,129,552, a reduction of $230,560,019—although during that period $42,194,000 had been advanced in bonds to the Pacific roads, and $7,200,000 had been paid for Alaska, to say nothing of the many millions paid by the War and Navy departments, on claims which had from time

to time been adjusted, and had never appeared in the published statements of the public debt. This reference is made to the early reduction of the debt because no allusion has been made to it in the Treasury reports since 1868, and because it presents a fact never presented by any other nation and which is most creditable to the United States, that the reduction of an immense debt was commenced, on a large scale, almost immediately after the close of a very destructive war. This policy of reducing the public debt, so auspiciously commenced, was continued through years of great industrial and financial depression, and is still going on, until the debt is now nearly a thousand millions of dollars less than it was in 1865. It is this policy, more perhaps than anything else, which has so elevated the public credit as to make possible the reduction of the rate of interest, as redeemable bonds have come within the control of the Government, from six per cent. to five, from five per cent. to four and one-half, from four and one-half per cent. to four, and raised the four-per-cents to fifteen per cent. premium in gold. And now, with this enlightening reference to the past, the question arises, What should be our financial policy in the future?

First. What should be the policy of the Government with regard to the national banking system, and what should be the rate of interest on bonds hereafter to be issued? The relations existing between the Government and the banks are so intimate that these cannot be considered separately.

There is general agreement that the rate of interest on all new bonds should be less than four per cent.; beyond this, diversity of opinion exists. Congress, at the recent session, passed a bill authorizing an issue of three-per-cent. bonds and certificates, to be sold at not less than par, the proceeds of sales to be used in retiring the five and six per cents which will be redeemable and payable during the present year; but, unfortunately, the bill contained requirements of the national banks which subjected it to a veto by the President and caused its defeat. If it had simply authorized the issue of three-per-cent. bonds and certificates, it would have become a law, and the ability of the Government to borrow money at three per cent. on bonds having ten years to run would now be in the process of trial in a most favorable condition of the money market. It was the withdrawal from the banks of the privilege of deposit-

ing all classes of United States bonds then outstanding as security for their circulating notes, and the limitation of this privilege to the three-per-cent. bonds, together with the requirement that banks desiring to take up the bonds which are held by the Treasury should, in order to do so, return to the Treasury their own notes, instead of depositing legal-tender notes for this purpose, as they were authorized to do by the act amendatory of the Bank Act, approved June 20, 1874, which this bill repealed, that gave to the bill a partisan instead of a national character, and made it obnoxious to fair-minded men. Was the bill in these respects judicious or fair? Was it judicious for Congress to say that three-per-cent. bonds should be received as security for bank circulation, and better bonds declined? Was not this restriction intended to compel the banks to purchase and deposit the three-per-cents, or cease to be banks of circulation? Was this kind of legislation calculated to secure the coöperation of the banks in putting these bonds successfully upon the market? It was in the power of Congress to make a forced loan in the form of legal-tender notes, but to force banks to take bonds which they do not want is a different thing altogether. The bill, as has been stated, went a great deal further than this. It required banks which might desire to go into liquidation or to dissolve their connection with the system, to return their own notes, instead of providing for their redemption by depositing legal-tender notes or gold in the Treasury, in order to take up their bonds. Partial compliance with such a requirement would be difficult and troublesome; absolute compliance might be impossible. National-bank notes circulate everywhere upon the credit that is given to them—by their being receivable for all public dues (except import duties), and by the bonds which secure them, so that the notes of a bank in Oregon are as current in New York as the notes of the Bank of Commerce. This is one of the great merits of the system. National-bank notes, no matter by what bank they may have been issued, circulate throughout the Union; the result of which is, that they are so widely scattered, with no inducement on the part of holders to send them home, that a bank, if such a requirement were enforced, might be months if not years in liquidation. Absolute compliance with it might, as I have said, be impossible, as some of the notes of every bank will doubtless be lost. Would such a requirement be fair to the banks? Would it be

of any benefit whatever to the Government? The only work which the Treasury department has to perform, as the law now stands, and stands by virtue of the veto power, for banks desiring to obtain possession of their bonds, is the mere clerical work of redeeming their notes with the money provided for their redemption, for which there is ample compensation in the interest on the money before they are redeemed and the gain on those which may never be presented. Indirect legislation should always be avoided. Partisan legislation involving great national interests is a blunder. The national banking system is of immense proportions. It is intertwined with the commerce and trade of the country in all their varied operations. The gradual dissolution of it would produce extensive mischief; the sudden destruction of it would precipitate a financial crisis more disastrous than that of 1873. If, however, it is found to be inconsistent with the free working of our republican institutions, if it is a great concentrated money-power and the banks are striving to perpetuate it by controlling elections, let it be overthrown. Nothing that stands in the way of the Government created "by the people and for the people" should be permitted to exist. The country is now as well prepared for the crisis which would be the effect of its overthrow as it ever will be. But let the issue be fairly presented. Let not a work of such vital interest to the people be done by indirect legislation.

The national banking system was created for the double purpose of increasing the demand for Government bonds and furnishing a safe and uniform currency. Has it failed to do either? The national banks are not only the owners of some three hundred millions of Government bonds, but their circulating notes are secured by them, so that every note is a helper of the national credit. No unprejudiced man who carefully reads the financial history of the country since 1863 can fail to see, or be unwilling to acknowledge, that the banks have been efficient coöperators with the Government in all its financial negotiations, and in every step that has been taken to reduce the rates of interest upon its bonds. They have been liberal subscribers to all of its loans, and by their subscriptions they have done much to induce subscriptions by other institutions and the people. It would be foolish to assert that the Government credit rests upon the national banks, or that means could not have been obtained for the prosecution of the war, or that

the rates of interest on the public debt could not have been reduced if the national banking system had not been created; but it would be equally foolish to deny that in all these great accomplishments the national banks have rendered powerful aid.

That the other object for which the system was created—to furnish a safe and uniform currency—has been accomplished is so well understood and is so universally acknowledged, that remarks upon it are unnecessary. What, then, are the political and popular objections against it? They are:

First. That it establishes a monopoly.

Second. That the banks attempt to control, and by a free use of money do control, political elections.

Third. That bank-notes occupy, in part, the field which should be exclusively occupied by the notes of the Government.

Let us briefly consider them.

To answer the first, it is only necessary to ask what possible monopoly there can be in a system which is open to all who have money to lend, and who prefer to lend it through the agency of corporations than in any other way? It is safe to say that there never has been, and that there never can be, a safe banking system less liable to this objection than this is. Instead of establishing a monopoly, it put an end to the bank monopolies which formerly existed in many States, and opened wide the door for free banking. If there is a single feature of monopoly about it, it has yet to be discovered. This objection is one of the many popular fallacies which frequently exist and become wide-spread, without having an inch of ground to stand upon.

Equally groundless is the second objection—"that the banks undertake to control, and do control, political elections." Those who know the character of the men who engage in banking—how tenaciously they cling to their money, how anxiously they avoid politics and politicians—need no light upon this point. Besides, the banks are neither owned nor controlled by men of the same party. Active and influential men of both of our great political parties are found among bank managers and stockholders, who contribute—and contribute liberally—from their own pockets, in aid of the party to which they belong, in doubtful districts and in doubtful States; but they have no right to use the money of their banks for this purpose, and they would con-

tribute just as liberally if they were not connected with banks. I would here incidentally remark that the use of money in elections is one of the most threatening dangers to which our republican institutions are exposed. The foundation of our Government would be much more secure than it now is, if to contribute money for electioneering purposes were made a penal act. But however this practice may be regarded, those who suppose that the national banks contribute their money to influence or control elections will be disabused of their error by ascertaining from the managers of political campaigns where the money which they distribute comes from. The truth is, that the reduction of the rates of interest upon the Government bonds has caused banking under the national system to be well-nigh unprofitable. Nor is it popular with those who are working under it, and there is consequently no inducement for them to contribute money for its support. They know that it was not created for their benefit, but for the benefit of the Government and the protection of the people. They acknowledge its excellence, but they dislike the restrictions which it imposes upon them. A large majority of them were converted from State banks; they were forced into it by the ten-per-cent. tax upon State bank-notes. Not a single bank favored it in its inception, and not a few now sigh for the larger liberty which was enjoyed under the State-bank system.

The remaining objection—that bank-notes occupy, in part, the field which ought to be exclusively occupied by the notes of the Government—is plausible, and for a time it was dangerous by its plausibility; but the danger is rapidly decreasing, as the question becomes better and better understood. A large majority of those who have favored an exclusive use and an issue of Government notes, to be limited only by the discretion of Congress, were undoubtedly honest, but they have been so enlightened by the free discussion to which the question has been subjected, that the Greenback party would not be a factor in our politics if the strength of the two great parties, into which the country has always been divided, were not so nearly equally divided that this third party holds the balance between them, and thus possesses a power altogether disproportioned to its numbers. This will not long be the case. Third parties, based, as they usually are, upon a single issue, are always short-lived in the United States. They give promise of permanence

at the start, but they are soon swallowed up by the two other great parties and disappear forever. So will it be with the Greenback party. In some of the States in which, for a time, it exhibited strength, its chief supporters have already gone back to the parties from which they were temporarily separated, and their example will soon be followed in other States in which it still has vitality. Aside from the more than doubtful authority of Congress to make Government notes lawful money in a time of peace, there are objections to the substitution of such notes for bank-notes, which are so manifest and overwhelming that danger in this direction may no longer be apprehended. If, however, authority should ever be granted to Congress, by a change of the Constitution, to make Government notes lawful money, and the experiment of the exclusive use of such notes should be tried, the country would have *a great national bank, of which the millions of inhabitants would be the stockholders, and members of Congress the directors.* The fate of such a bank and the misery it would inflict, it requires no spirit of prophecy to predict.

I have thus dwelt upon the national banking system, because I think its maintenance essential to the prosperity of the country, and because upon the action of the national banks depends, in no small degree, the solution of the question, What rate of interest shall the new bonds bear? It is true that the amount which they will need to replace the bonds now in the custody of the Treasury is small in comparison with the amount of the debt to be re-funded, but favorable action on their part would do much to make the entire issue successful. Their influence, it is admitted, is shared by other banking institutions and private banks; but theirs is the most decided, because they are more closely connected with the Government, and they have a more direct interest than other banks or bankers in the support of the national credit. As has already been said, the national banking system is not a profitable system to bank under. That it is not an inviting system is proven by the fact that, although open to all, there is more capital in State and private banks than in the national banks. And now the important questions arise, Can the national banks afford to substitute three-per-cent. bonds for those bearing a higher rate of interest? and will they be subscribers for the three-per-cents, unless they are relieved from the tax now imposed upon their notes? These questions must, I

think, be answered in the negative. If they are compelled, without this relief, to secure their notes with three-per-cent. bonds, or to retire their circulation, many, if not all of them, will prefer to do the latter, and the national banking system will thus be virtually destroyed. It is most desirable that the burden of the public debt should be made as light as may be possible, and if, by the abatement of the tax referred to, the influence of the banks can be made conducive to the reduction of the rate of interest on the debt to three per cent., can there be any doubt as to the propriety and expediency of such an abatement?

But can the public debt, with the coöperation of the national banks, be re-funded into three-per-cent. bonds? There is much diversity of opinion on this point. I am among those who think it can be. It is true that British three-per-cent. consols, which are rendered attractive to investors by the fact that they are in the form of perpetual annuities, are very rarely up to par, and that the recent French three-per-cent. loan, of which so much has been said as indicating the high credit of France,—the most thrifty of European nations,—was sold at a heavy discount; but it must be borne in mind that the United States is much more populous and prosperous than either, and in undeveloped but rapidly developing resources incomparably their superior; besides,—and this is a most important consideration,—the debt of the United States is less than one-half the debt of Great Britain or France, and is steadily diminishing, while theirs is stationary, if not increasing. There is in this country, as in all other solvent countries, a demand for Government securities, which nothing else can so well supply; and this demand in the United States will increase with the diminution of her debt and her advance in wealth and population. There can, therefore, I think, be no reasonable doubt that our public debt can be re-funded into three-per-cent. bonds, which will never be at a discount, except in periods of great financial depression; and with wise legislation these periods will rarely, if ever, occur. A large permanent national debt is inconsistent with the very nature of republican institutions, and there are objections to placing the debt, for a long time, beyond the control of the Government; but as serious doubt exists that three-per-cent. bonds, having less than twenty years to run, can be sold at par, and as there is little reason to expect that such bonds would

constantly be in such demand as to compel the Government to pay any considerable premium for those which it might, from time to time, be able to retire, it would hardly be safe to try the experiment of shorter bonds.

If the views thus presented are correct, Congress will act wisely if, at the next session, it authorize an issue of twenty-year three-per-cent. bonds to an amount sufficient to redeem and pay all bonds bearing a higher rate of interest, as they become redeemable or payable, and relieve from taxation the circulation to secure which the three-per-cent. bonds may be deposited in the Treasury.

The next question, which I propose to consider very briefly, is

THE SILVER QUESTION.

Alexander Hamilton, distinguished alike by his far-seeing wisdom and his practical and comprehensive knowledge, in his masterly report of January, 1791, to Congress upon "the establishment of a mint," in speaking of gold and silver coinage, used the following language:

> "Upon the whole, it seems to me most desirable not to attach the unit exclusively to either metal, because this cannot be done effectually without destroying the character of one of them as money, and so reduce it to the character of mere merchandise. To annul the use of either of the metals as money is to abridge the quantity of circulating medium, and is liable to all the objections which arise from the comparison of the benefits of a full, with the evils of a scanty, circulation. It is often in the case of trade as desirable to possess the kind of money as the kind of commodities the best adapted to a foreign market."

Since this remarkable language was uttered, the world's supply of gold and silver has been enormously increased, but the demand has more than kept pace with the supply, and the reasons for the use of both metals as money are stronger now (as the commercial intercourse between nations has become closer) than they were then. Of the eight thousand million dollars in these metals estimated to be in use as money in what are called civilized nations, about three-eighths are silver and five-eighths gold. In a large majority silver is the standard, and although these are not among the leading commercial nations, their foreign trade is large and increasing. Now, is it not obvious that this trade would be facilitated and rendered

more profitable to all nations that participate in it, if both metals, upon a ratio agreed upon, should be upon an equal footing? Can there be any doubt that commerce demands that all metallic money should have equal comparative value throughout the world? and most assuredly the world is not in a condition to do without either. The effect of a universal demonetization of either would be so disastrous that no sane man would advocate it. It would be a death-blow to enterprise, while it would increase enormously the burden of debt. It would bankrupt debtors and thereby be prejudicial if not ruinous to creditors. If, then, it is most desirable that all nations should have the same standard, and if neither gold nor silver could be universally demonetized, does it not follow, as Mr. Hamilton expressed it, that the unit should not be "exclusively attached to either"? It is to effect an agreement between nations that the unit shall attach to both metals, that a conference is being held in Paris, at which the United States is represented. It is probable that neither Great Britain nor Germany will unconditionally participate in it, and they may be regarded as being hostile to bimetallism, but their hostility is that of the Governments and not of their people; it will not, therefore, be formidable, nor is it likely to be lasting. Neither nation can permanently stand alone upon the single gold standard; nor can they, if united, resist the influences which are now at work in favor of bimetallic money. One of the reasons for the adoption of the single gold standard by Great Britain in 1816 was, that as silver was more sought for by Continental nations than gold, the latter could be more easily retained than the former. It is questionable that she has been the gainer by her single gold standard, but having adopted it, she adheres to it with a tenacity characteristic of her Government. It has unquestionably for many years, in connection with her commerce and manufactures, given her control of the world's exchanges, but that the advantages of this control have not been counterbalanced by the constantly varying rates of interest, so injurious to her internal trade, which the increase or decrease of the gold in her great bank has made necessary, is by no means certain. Even in the full meridian of her commercial and manufacturing prosperity, there have been years when the bank rate has changed every month, varying in some instances, in a single year, between three per cent. and nine or ten. There have been times when the arrivals of gold from Australia and the United States

have been looked for with intense anxiety; when "the loss of the gold on a single steam-ship would have created a panic in London." If such has been the case when only the Germans and the United States were drawing gold from her, what would have been the condition of her bank and her business interests if all the commercial nations had been using gold exclusively? But whether Great Britain has been the gainer or loser by adopting and maintaining the single gold standard is now a matter of little importance. Great she still unquestionably is, but the world is no longer compelled to be tributary to her. The raw material from the ends of the earth no longer goes to her to be manufactured. Other nations, especially the United States and Belgium, are not only competitors with her in foreign markets of which, for years, she had complete control, but in her own. And while she still is the greatest of maritime nations, she no longer "rules the seas." She has active competitors (it is to be deeply regretted that the United States is not among them) on what she has claimed to be her own domain. She may refuse to send representatives to the Paris conference. She may resist the remonetization of silver, although many, if not a majority, of her merchants and manufacturers are clamorously in favor of it; but if the other nations which are to be represented in the conference are in accord, her resistance will be in vain. The movement in favor of the use of both metals as money is becoming universal; unless "all signs fail," it will eventually be irresistible.

Germany will, of course, be reluctant to retrace the steps she has so recently taken, but there will be no alternative. The Germans have always been accustomed to the use of silver, and they believe in it. They have suffered severely by its demonetization, and they will force their Government, despotic as it is, to go back to it.

There is much diversity of opinion in the United States upon this subject, but that a very large majority of the people are in favor of silver with gold as money is not, I think, doubtful. The act of February 28, 1878, which became a law over the veto of the President, was, it must be admitted, an act of hasty and inconsiderate legislation. It made the silver dollar, as far as the law could make it so, equal to the gold dollar without the coöperation of European nations, and did much to prevent coöperation, by fixing the ratio between silver and gold at sixteen to one, instead of fifteen and one-half, the ratio in France

and other bimetallic nations, and which was the ratio adopted by Congress in 1837. If the members who were in favor of the remonetization of silver had examined carefully the unsuccessful efforts in 1792, 1834, and 1837 to make the relative legal value of gold and silver coins correspond with the commercial value of the metals out of which they are coined, they would have postponed action until a conference had been held with the leading European nations. But they acted first, and, although there were no silver coins except subsidiary coins in the United States, adopted a ratio differing from that of nations having millions in circulation, and *then* approved of the conference. That, under such circumstances, the conference would be a failure, might have been expected. The result, however, of the present conference is hopeful. The subject since then has been more carefully considered; the needs of the nations are more apparent, and the influence of the United States has been vastly strengthened by having become a creditor nation and by the heavy drafts which she is making upon the gold supply of foreign nations. There is good ground for the expectation that the conference will be in accord; that the ratio between silver and gold will be fixed at fifteen and a half (the United States will be a gainer by the change from sixteen), and that at an early day silver will be elevated to its former rank in all civilized nations.

But it may be asked, why should the United States, a creditor nation to which gold is now steadily flowing, be interested in the general remonetization of silver? Because there will be periods when the balance will be against us; because our foreign trade ought to be largely increased, and must be, if our present prosperity is to be continued; because, having made silver dollars lawful money, we have a deep interest in the elevation of silver in other commercial nations, and because silver is one of our large productions. Its present degradation is not attributable to the increase in the yield of the silver mines, but to the adverse influence of Great Britain and Germany, the limited coinage by the Latin nations, and the decline in the trade between the Western and Eastern nations. These influences are not likely to be long continued. Let silver be fairly treated and this degradation will disappear. It is but recently that it became degraded. Up to 1874, it was, according to the established ratio, more valuable than gold. The fluctuations between the two metals, which have created the opinion that bimetallism is impracticable,

are attributable to the fact that gold and silver have been commodities in some nations and money in others. As I once remarked: "The certain preventive of fluctuations in the comparative value of the two metals will be found in the diffusion of both throughout the world, and this diffusion depends upon their becoming a joint standard of value."

Some apprehension exists that the large yield of the silver mines will produce an oversupply of silver. It will be remembered that similar apprehension existed some years ago in regard to gold. It was the large production of gold by the mines of California and Australia that caused gold to be temporarily depreciated, and which created so great an alarm that Holland demonetized it, and Great Britain did substantially the same thing in India, by refusing to receive it in the collection of Indian revenues; but as there was no good reason for this alarm, so there is none for the apprehension that the depreciation of silver must be continued by the large productions of the silver mines. The yield of these mines is not increasing. Like the yield of the gold mines, it is more likely to decrease than increase, and there is greater reason to fear that there will be an insufficient supply for what will be needed for coinage and the arts, rather than an excess. There is something in the objection to the use of silver as money that it is cumbersome and expensive in transportation. But this objection is of little importance in comparison with the world-wide benefits which would follow the large increase of real money by its general use.

Again, it may be asked, by what means can the large accumulation of silver dollars in the United States Treasury be disposed of, and how can further accumulation be prevented, if the present rate of coinage should be continued? The answer is at hand: By depriving the United States notes of their legal-tender quality, or the gradual retirement of all notes of a less denomination than ten dollars. Either measure would be effectual, and one or the other must be adopted if the Treasury is to be relieved and silver coins are to be brought into general use. As long as the banks can keep their reserves in legal-tender notes, they will prefer them to silver; and as the people have been always accustomed to the use of small notes, and have found them convenient, it will be quite impossible, without their withdrawal, to increase to any considerable extent silver circulation. But I am exceeding my limits, and must hasten to say a few words upon

another subject, which has an important bearing upon the national finances, and is of great public interest.

OUR FOREIGN SHIPPING.

Thirty years ago the United States ranked among the great maritime nations, with fair prospects of soon becoming the greatest. Now, as far as the foreign carrying trade is regarded, she is among the least. Nations then quite unknown as maritime nations are now outstripping her. We have but a single steamship line to Europe, and that is largely sustained by a great railroad company. We have also a single line to Brazil, bravely contending, by the energy of a single man, Mr. Roach, with British competition which threatens to destroy it. In this competition the British have great advantage. The same ships, making what may be called triangular voyages, take British goods to Brazil, coffee from Brazil to New York, and wheat and other United States productions from New York to British ports. And soon another competitor for the carrying trade between Brazil and the United States is to appear in a Canadian and Brazilian subsidized line of steam-ships. On the Pacific Ocean we have thought that we might regain, in part, what had been lost on the Atlantic. Alas! we have not only European competition there, but a new competitor also, the Chinese. One year ago, the opinion that the Chinese would ever be competitors with the United States on the Pacific Ocean would have been scoffed at. Now it is a fact, and with their imitative skill, low wages, and cheap living, their competition will be formidable, if not overpowering. So that, were it not for the protection which our navigation acts give to our coastwise trade, we should be virtually driven from the ocean, while at the same time we furnish the lading by which foreign ships are chiefly sustained. Nearly all of the enormous productions sent from our Atlantic ports to Europe is taken in foreign steam-ships. The immigrants who come to us by thousands, the pleasure-seekers and business men who are constantly crossing the Atlantic (seven-eighths of whom are Americans), go and come in the same manner. Could anything be more humiliating than this to a great nation whose flag was once seen on every sea, and in every port on the globe!

The decline in our foreign shipping commenced with the substitution of iron for wood, in the construction of steam-ships. It

was hastened by the course pursued by Great Britain in our civil war, and it has been continued by our inability to build iron steam-ships (which by their superior speed have great advantage over sailing-vessels, and over wooden steam-ships, by their greater strength and longer life) and to navigate them as cheaply as is done by Europeans. By this decline, the people of the United States are compelled to pay annually millions of dollars (we should be startled if we knew how many) for freights and fares in the profits of which they have no share. And now the question which forces itself upon our attention is, not only how shall this decline be arrested, but how shall this most important interest be revived and restored. Until quite recently I have thought that it might be done by giving the protection of our register and flag to foreign-built ships—in other words, by repealing the acts which prevent free trade in them, by relieving from import duties all material used in the construction of ships, and all ships from state taxation; but I think so no longer. Such measures might have been effectual some years ago; they would not be now. It is too late. The foreign carrying is in the hands of Europeans, who have large capital invested in their ships. Efforts to divide the business with them by American capitalists would be met by a competition too powerful to be resisted without loss. Without aid from the Government no such efforts will be made. If this be so, the revival and restoration of our foreign shipping interest depend upon the granting of subsidies. We must do what has been done by other nations. We must *subsidize American steam-ship lines.* How many, and to what extent, and for what period, can be determined when the subject is carefully considered by Congress. The word "subsidy" has been an exceedingly odious one when applied to ships, but no such odium has attached to it when applied to railroads. The interest on the amount advanced by the Government in bonds (now selling at thirty per cent. premium) to the Union and Central Pacific Railroad companies, or one-half the interest on the amount paid annually to foreigners for freights and fares, would be enough, perhaps more than enough, to infuse new life into our foreign shipping interest, which, although not absolutely dead, is gasping in the throes of dissolution. Is there any substantial reason why the Government should have been so liberal as it has been in donations to railroad companies, and have been unwilling to give

substantial aid to steam-ship companies? It may be difficult to prevent what is called "jobbery" in the granting of subsidies, but would there be less of it in granting them to establish and maintain steam-ships than there has been in grants for the construction of railroads? There has always been scandal in connection with grants of subsidies, and there always will be, as long as political party contests exist, whether there be foundation for it or not; but to withhold subsidies when they are required to build up and sustain great national interests, on the ground that they cannot be granted without bribery and corruption, is to admit that our republican Government is a failure. It is very certain, unless we are to be content with being the first of nations in agriculture, and the second or third in manufactures, that something must be done to reëstablish our maritime interests. To do nothing is to yield to Europeans the glory and the gain which have always been the concomitants of maritime enterprise. It is to foreign commerce that the world, more than to anything else, is indebted for its advancement in liberty, refinement, and true Christian civilization. In the contest which is going on between nations for the control of this great liberalizing, refining, and civilizing power, is the great republic to have no part? If subsidies are not to be granted, other measures must be adopted to lift us from the dependent and ignoble position in which we now stand, and to prevent still further degradation. What those measures should be somebody more enlightened than I am must disclose.

It will be perceived that I have only glanced at, instead of attempting to discuss, the very important questions to which I have called attention. More than this could not have been done in a single article, long as it is. In doing even this, as regards the national banking system and the silver question, I have but substantially repeated what I have often said officially and otherwise.

HUGH MCCULLOCH.

THE PATRICIAN ELEMENT IN AMERICAN SOCIETY.

THE desire to look back upon an ancestry and forward to a family is universally found, wherever man has organized any form of state and society, however high or however low it may be. The inheritance and transmission of a name form a large share of the pride and the ambition of life; and if wealth and power go with the name the sum of human happiness is considered nearly complete. To secure this, strong governments are organized, strong constitutions are adopted, strong laws are enacted, great classes are built up and built upon as a firm foundation. As a present possession it is nourished and cherished; as a lost possession its blessed memory is always held dear,—so dear that even the beggar is proud to turn to the gilded palaces of his ancestors, and patient to wait for the returning tide of prosperity and greatness. The legitimist accepts it as the corner-stone of his position and power; the republican offers it as a boon to all ranks and orders of men, a right which neither usurpation nor law can overthrow. The idea of family purity, strength, wisdom, prudence, success, ambition, goes with it, and has gone with it from the days when the patriarchs secured and transmitted their power, down to our own time when all men are struggling for honors and prosperity for themselves and their children. Upon the combination of the ancient families of Fabii, Romilii, Voltinii, was founded the Roman state; and from the legal relations of the social and civil circle thus formed sprang the burgesses of Rome—the *Patricii*, so called because they were recognized as the sons of fathers, the only fathers known to Roman law. In this class there was entire social and civil equality, and from this class the ruler was chosen, whose command was all-powerful when his authority had been properly conferred, and the fidelity and obedience of the community had

been invoked and secured. The same principles and the same classification lay at the foundation of the Greek republics. And when the Roman society in Gaul was destroyed by the German invasion, and all social organization both of conqueror and conquered was dissolved, the patrician element was the first to reëstablish itself in a form corresponding with new necessities and obligations and designs. England, too, whether as part of the Roman empire, or under the Saxon kings, or parceled out by William the Conqueror among his followers, was subject to the same social element, and has, through all its years of conquest, wealth, and power, encouraged, supported, and leaned upon this proud and undying vital force. Wherever imperialism has advanced, the *Patricii* have been found in the forefront, contending, asserting, controlling, and building up the great institutions which are man's pride and glory, and which mark his divine power on the earth.

The commanding spirit which has always and under all circumstances established the patrician element in society, is not more striking than the conservative wisdom and foresight with which it has endeavored to lay for itself firm and enduring foundations. The original qualification of the Roman *Patricii* was in landed property; and the conversion of this qualification into personal property and money-rating is considered one of the revolutionary movements which threatened to overthrow the whole social and civil fabric, the modification of which by Quintus Fabius is counted as a fair offset to his startling introduction of the sons of freedmen into the senate, and his reckless and audacious expenditure of public moneys without senatorial sanction. The landlords and their dependents constituted a large mass of the people, and, in the relations established between them, the former reserved to themselves unlimited right of possession, and established a great landed nobility. And we are told that "the landlords, occupying a comparatively elevated and free position, supplied the community with its natural leaders and rulers,"— the patriciate upon whose energy and intelligence the state was supposed to be founded. This social condition the Romans carried with them wherever they went. They carried it into Gaul and preserved it there so long as their rule continued, fixing it so firmly that it outlived even the German invasion, and converted the invading hordes from wandering tribes into landed proprietors and finally into a great territorial aristocracy, arro-

gating to themselves the spirit of individual liberty and the passion for independence and individuality which the Germans brought into this part of the Roman world. In England, moreover, whose constitution, Montesquieu tells us, came from the forests of Germany, whence came also the original doctrines of human equality and civil right, the history of the feudal tenure, as the foundation of a powerful privileged class, is interesting and significant. Originally Great Britain was occupied by agrarian communities similar to those in Germany. These communities were nearly destroyed by the Saxon kings, and what they left unmolested the Norman conquest wholly obliterated. The statutes as early as the thirteenth century forbade all complaints of the tenant against the lord of the manor. And step by step it has been brought about that, of the noble stock of free tenants that has given so marked a stamp to the English character, and has established so much freedom in the English constitution,—the free men and proprietors of the Saxon times,—hardly any now remains, until England has become the only civilized nation where property in land has been entirely taken from the hands of those who cultivate it. A legal system based on "the principle of inalienability from the feudal lien," and in the interest of great landed families and the establishment of peasant proprietorship with absolute dependence, has given the landed aristocracy of England their vast and imposing power, and has created a patriciate unequaled for strength and grandeur in any age or any country. According to M. Marriott: "The destruction of small property is still going on, no longer, however, by encroachment, but by purchase. Whenever land comes into the market, it is bought by some rich capitalist, because the expenses of legal inquiry are too great for a small investment. Thus large properties are consolidated, and fall, so to speak, into mortmain, in consequence of the law of primogeniture and entail. In the fifteenth century, according to Chancellor Fortescue, England was quoted throughout Europe for the number of its proprietors and the comfort of its inhabitants. In 1688, Gregory King estimates that there were 180,000 proprietors, exclusive of 16,560 proprietors of noble rank. In 1786, there were 250,000 proprietors in England. According to the 'Domesday Book' of 1876, there were 170,000 rural proprietors in England, owning above an acre; 21,000 in Ireland, and 8000 in Scotland. A fifth part of the entire country is in the hands of 523 persons. 'Are you

aware,' said Mr. Bright in a speech delivered at Birmingham, August 27, 1866, 'that one-half of the soil of Scotland belongs to ten or twelve persons? Are you aware of the fact that the monopoly of landed property is continually increasing, and becoming more and more exclusive?'"

The power of a patriciate thus founded is imposing; its conflicts are intense; its fate the most profoundly interesting political problem of our day.

It is not, however, on the material foundations of the patrician element in society that the mind dwells with the most interest. The influence of social and civil institutions upon man's intellectual and moral nature, the effects of luxury and ease, of poverty and hardship, the operation of laws of heredity—all combine to make the individual man what he is, and to establish controlling national characteristics. It is not until man surrounds himself with fortunate circumstances, with prosperity, comfort, opportunities for the exercise of his best faculties, that he is developed to that standard in the scale of being required for great endeavor and high accomplishment. The marks produced by centuries of oppression, poverty, wrong, starvation, upon a people possessing originally great human beauty and strength, both mentally and physically, are well known to every student of the history of the race. The heavy countenances, rude features, low, misshapen forms of the generations of sufferers, are the painful record which long-continued misfortune always makes. Man, like the higher orders of vegetable growth, requires genial influences for his development; not always prosperity and wealth, but always a life in which his faculties are not dwarfed. Precisely what influences affect him, it is difficult to say. There is a form of prosperity in which his finer faculties may be wholly destroyed from generation to generation; and there are forms of apparent adversity in which all that is noble in him is quickened and developed. In the transmission of mere physical faculties, he seems to rise superior to the laws which control the lower animal kingdom, and to defy them all. He is not physically powerful, it is true, but he is physically enduring; and, through the agency of his spirit, physically triumphant over space and time. At a certain point he leaves the animal economy and soars into the regions of a diviner power; lives and works in spite of disease; implants upon his race, through the agency of his soul, faculties, moral and intellectual, which be-

come at last a part of his physical organization; and proclaims everywhere and in every way that he is not a beast; and we reverently and devoutly recognize the Divine power which manifested itself, not so much when it made the earth and the sea, as when it breathed into man an immortal spirit. There is no doubt that man's moral character and mental power, his tastes, modes of thought, impulse, and inspiration, his peculiarities and his physical organization even, are due not only to the qualities transmitted to him by many generations of ancestors, but also to the modifying influences of associations, interests, habits of thought and life, occupations, affections which surrounded him and his fathers before they began to draw the breath of life. Man's spiritual impressions are a law unto his body, and, as he steps forth into life, he carries not only his ancestral shape and feature, but those higher powers which mold his form, give light to his countenance, and receive their existence from the Divine hand which, because it is spiritual, has made and ruled the material world from the dawn of creation. Indeed, the subtile and delicate forces which combine to work out human characteristics come not with observation in all cases, and exert an influence as great as, perhaps greater than, manifest and well-known physical laws. We may study with the utmost care and audacity the natural history of man, his relations to other animals, his antiquity on the globe, and the primitive state of the human species, but we cannot escape from the overwhelming evidence of the influences exerted upon his character and structure by the circumstances which have surrounded the generations to which he belongs. Hence the well-known qualities of the patrician element in every society; and hence the well-known qualities of the oppressed, and unfortunate, and subservient. The difference which exists in form and feature, and mind and heart, the difference in the proportion in which the attractive and effective, and the unattractive and inefficient, are mingled in each, are too well known to require description.

Now, the foundation and strength, the origin and extent, of the patrician element in American society, indeed, the question whether or not it has an existence distinctly defined here, constitute an interesting and important problem in modern sociology. The structure of American society has not materially changed since the settlement of the colonies. "Nothing came from Europe but a free people," says the enthusiastic historian, as he

contemplates the character of those who laid the foundation of state and society on these shores, and whom one less sympathetic and admiring has described as a stock "plebeian though ingenuous." They came here from every walk in life,—the rich and the poor, the learned and the unlearned, the patrician and the plebeian,—all either inspired by, or compelled to accept, or ready to acquiesce in, the doctrines of free government and social equality. Whatever may have been the condition or the nationality of these people at home, they seem to have adopted, through necessity or choice, the constitutional principles of the Germans, whose independence and individuality found free scope in these remote, unsettled regions. There was colonial diversity enough, it is true,—the colonies in New England and New York and Virginia and the Carolinas differing, in many points, almost as much as they would have done had they been different nationalities. But everywhere the largest civil liberty took possession of the popular mind and prevailed. The strongest element of society here was the liberal and protesting and non-conforming element, and to it all others surrendered. There may have been a conservative claim for classification, caste, and legitimacy; but it was the weaker element which laid the claim. That vital force which manifested the most power in the beginning, and which endured even unto the end, was never stronger than it was when the Declaration of Independence laid down the maxim that "all men are created equal." It was not the politico-ecclesiastical government of John Endicott, or the Puritan-modified liberality of John Winthrop, or the constitution of John Locke in the Carolinas, or the social distinctions of Virginia, or the easy, compromising adjustment of the Dutch colonies in New York, which laid the eternal foundations of the American Government, and gave American society its enduring characteristics. All these colonies had their purpose; but, so far as the problem of government was concerned, they were acquiescent, and, through the force of circumstances, they accepted the broad, liberal, humane theories laid down for them by those who, at Plymouth, organized a government on the consent of the governed, and recognized personal merit in their selection of magistrates. To this ascendency of the best republican thought throughout the general colonial life, we may undoubtedly attribute that amazing vitality which the American Government manifestly possesses, and that ready capacity to meet great civil emergencies which

the American people have thus far shown. As a stream rises never higher than its fountain, so a nation, in all its dominant characteristics, however glittering and attractive may be its accidents, seldom loses the elements of its infant life; and that people is most fortunate which finds necessity and occasion, as time goes on, to develop its original and fundamental principles, and in its progress can turn back with the proud satisfaction that it has everything to do and nothing to undo in the line laid down for it in the beginning. Is it a question of civil rights—the law and the doctrine can be found in the system of government planted at Plymouth. Is it a question of religious toleration, or of a voice in the government, or of the division of landed property, or of social equality—the reply may be found in the principles and practice applied at Plymouth. In congratulating themselves on the national strength which this fortunate outset has secured, the American people should not forget that it has modified and shaped all their social and civil institutions, and made them peculiarly their own. It would be impossible to plant the territorial aristocracy of Rome, or the landed proprietorship of England, on soil cultivated by the American colonists, with any hope or prospect of success; nor do we find there any social classification applicable to the United States. Whatever social and civil conditions, therefore, are here provided for the prosperous and the unprosperous, for the rich and the poor, for the idle and the industrious, for the producers and the non-producers, they are all provided in accordance with that unchanged and apparently unchangeable law on which the American Government is founded. And whenever, through temptation or trial, this law is broken, and the republic wanders in search of other systems of state and society, and the faith and practice of the fathers are forgotten, the decay, or a change worse than decay, will manifestly begin.

In considering the patrician element in American society, we cannot forget the strong roots which these free republican principles have sent down into American soil. That there was a controlling element in the early colonial life, no one can deny,—an element which exists in one form or another to-day. It was an element which, without establishing a social class, did establish a national reputation and give direction to the national character. Diffused through the entire mass of the people, it came at once into possession of all the forces which, in other

lands and in other times, had created those great social distinctions, which decrees, and constitutions, and laws had confirmed and strengthened. The business of building up and increasing national power, which had especially belonged to a recognized patriciate elsewhere, was taken up by the American colonists as a popular duty, and was pursued with the solemn conviction that every man living under a government had a right to a voice in its conduct and to a share of its benefit and protection. The power and duty which had hitherto devolved upon the few at the expense of the many, now fell into the hands of the great body politic, without distinction of person. There were no conquerors to reward, no retainers to be provided for, no vanquished to be despoiled, no warriors to be enriched. They had an abundance of land and of good blood,—the corner-stones of all patriciates; and they proceeded to erect a social fabric, in which the controlling element became the property of the people, and passed from hand to hand, from man to man, from family to family, until it became impossible to designate or limit its possessors short of the great body of the community. Magistrates were found in every house, and were summoned into the service of the state from every profession and calling. Property was placed within the reach of all the industrious and thrifty; labor was the common lot; popular education was recognized as a duty. There was a constant appeal to the capacity and worth of those upon whom the responsibilities of the state were laid; and neither the social position of royal governors nor the edicts of the home government succeeded in destroying the social equality or suppressing the popular judgment. The possession of landed property, which had been deemed essential to the power of the ruling classes elsewhere, was so universal that it constituted the natural foundation of a free state, in which all became in the end citizen-proprietors, and it developed into that general division and subdivision of land, and that economical and easy transfer of real estate, upon which De Tocqueville declared that the perpetuity and power of the American republic were established. Land-holding, it is true, varied in the several colonies. In the Plymouth colony, it was the establishment of small farms. In Massachusetts Bay, it was a division of corporation lands and individual proprietorships. In New York, it was a mingling of modified entail and homestead occupation. In Virginia and the Carolinas, it was the organizing of great plantations. But as

time went on, the system of the Pilgrims prevailed more and more, and spread over the vast territory now occupied by the great agricultural States west of the Alleghanies, whether the titles have been conferred by the Government or by corporations. The land-grants were small, even in the early colonial days. In Pennsylvania, for instance, one hundred acres to Jan Schocten, three hundred acres to Hans Moens, two hundred acres to John Boon, and like amounts to their numerous associates; and now, from the land of the patroon to the land of the planter, the system of small holdings prevails, known everywhere as the American system of land-holding. Fundamentally, the patriciate opportunity was open to all.

And so it was and has always been with regard to the incidents and accidents of life. The honorable career of many early families is not yet forgotten, whose labors began in almost every walk in life, and who have reached a distinction which has entitled them to the respect and esteem of the generations who have followed them. Farmers, merchants, lawyers, clergymen, magistrates, by their public service and private worth, created a family record which for true merit cannot be surpassed. In the older States can be seen to this day isolated farm-houses, made famous by the sons who have gone forth from them into most distinguished and valuable labor. Turn to the histories of the early towns, and there may be found the names of the founders of our schools, the creators of our constitutions, the lawgivers and the reformers who laid the foundation of our national greatness. The colonial clergy were not more distinguished for their sound theological exegesis, and their magisterial control of the communities where they had a life-settlement over their Puritan parishes, than for the multitude of well-bred, well-taught, strong-minded, brave-hearted sons whom they sent into the busy world about them. At the close of the Revolutionary war, almost every town had its battle-scarred hero, who, under an imperial government, would have been loaded with largesses and titles, and who were content with the respect with which they were regarded, and the offices in the meeting-house and the school-district to which they were called. In the older counties still stand the mansions erected by the prosperous merchants who returned, after a successful commercial career, to adorn the spot on which they were born. And the pride and wealth of many a city is due to the wise and untiring exertions of these undaunted youths who started

from their humble homes on foot, to meet the dangers, and resist the temptations, and secure the successes, of an untried world. For these sons of farmers and clergymen, America furnished no patrician class, no legitimacy supported by the arm of the Government, but added the result of their lives to the grand aggregate which constitutes the pride and power of the republic. With their opportunity they were content. But we cannot forget that from the clergymen and cloth-makers and graziers and country gentlemen of the Old World have sprung the long and fortunate lines of Barings and Osbornes, and Spencers and Grenvilles, whose sagacity and courage and patriotism and thrift have been rewarded as kings alone can reward their subjects. There are those who know a solitary and secluded spot, where stands a marble shaft, on which it is recorded of the ancient owner of that deserted farm that he was a "Revolutionary soldier." That he had command, and was a prosperous citizen, may be added to that honorable record. But his country was too wide and his people too free to give him a title; and so he belongs to that widely diffused patriciate whose doors are open to every worthy and prosperous son. Dr. Johnson said, in his day, that a merchant was "a new species of a gentleman." Had he lived in ours, he would have discovered that republicanism, well founded and well organized, has created a people whose tone and standard entitle them to a place by the side of the controlling classes of any country on earth—a people who absorb every kindred and nation and tongue under heaven, and whose purpose it is, by education and culture, and recognition and all refining and ennobling influences, to establish a citizenship as proud and powerful as a peerage.

The more recent history of our country shows us that the patrician element means simply the strongest popular element, and that it is constantly receiving new strength from the great mass of the people,—the strongest popular element being that portion of the people engaged in developing the mental, moral, and material growth of the republic. This power is confined to no condition and no section, and depends not on race or genealogy. Family authority amounts to but little in a country where no provision is made for the perpetuation of a family name or family possessions. But it often occurs that a fortunate conjunction of qualities, partly inherited and partly developed by surrounding circumstances, will produce a force which will

make itself felt, and will be recognized by all men. It is not an accident that one community distinguishes itself above all others. The power which does this can be traced through many ages, and the faculties which accomplish it can be discovered through many, perhaps inconspicuous, generations. A group of district scholars separates in an unknown village, goes out into the world, their ways parted apparently forever, and suddenly they find each other in high and important positions, places of honor and responsibility,—one, it may be, in the Executive mansion of our Federal Government; one holding foremost rank in the army; one associated with the Supreme Bench; one making laws in the lower house of Congress. Can it be supposed for a moment that this is accidental? Trace that group back to its origin, and it will be found that many generations of heroic endeavor lie behind it, and that many streams of good red blood have centered there. And when another generation comes upon the stage, it will turn to that village with respect and reverence, and will accord to that group an honorable place in history, and to its descendants a title to national regard and consideration. This is the origin of American vigor, and this the only title the American people can bestow. The heroes of a great war take their places at its close among the people from whose ranks they stepped forth to their greatness, and perform their part of the toil and drudgery of the world around them. They may hold no prominent position in the community, but whenever the events in which they were engaged are brought to conspicuous public attention, they become heroes at once, the country is at their feet once more, and their descendants are recognized as the heirs of an enviable possession—the untitled nobility of a great free republic. And, while the world pauses to admire the accumulations of great wealth, and recognizes the powerful combination of faculties which develops great enterprises, it reserves a warm place in its heart and a sacred place in its memory for those who, by the exercise of heroic faculties, have performed deeds which would be entitled to great eminence and substantial rewards in those lands where recognized station and power are counted as the highest tribute the government and a grateful people can bestow.

To this view of the patrician element in American society it may be objected that it makes no provision for the perpetuation of those faculties and qualities which all the world admires, and

on which the perpetuity and power of a nation are supposed to depend. But how is this? Unlike the patriarchal democracies of India, and Greece, and Asia, whose primitive equality always disappeared, and upon whose decay aristocracies always sprang up, to be followed by feudalism and royal power, the democracy of America wanders farther and farther away from all social classification, and trusts to its own forces for the production and development of those lofty characteristics which control the institutions and constitute the power of every great nationality. Will the generations to come inherit mental and physical qualities which will fit them for the responsibilities belonging to the conservators of state and society — qualities as necessary to preserve republican institutions in their full force, as are the powers developed and transmitted by a recognized patrician class for its own strength and perpetuation? In both cases, the external and internal, the material and spiritual, influences operate under the same law. If by association and surrounding influence a patrician type can be established, does it not follow that in the same way social and civil institutions, the mental and moral operations, the modes of education, and the duties and obligations of a republic may establish a high type of citizenship which will be sensitive with regard to its rights, and quick and bold to maintain them? Ribot says: "In a people the sum of psychical characteristics which is found throughout its whole history, in all its institutions, and at every period, is called the national character. The successes and reverses of a people do not depend on their form of government, but are the effect of their institutions. Their institutions are the effect of their manners and their creeds; their manners and creeds are the effect of their character. Nor can it be seriously doubted that character itself is also an effect. It is extremely probable that every character, individual or national, is the very complex result of physiological and psychological laws." That heredity plays as important a part in the formation of national as of individual character, there can be no doubt. Having recognized the influence of physical environment, and of those "latent silent sensations" also, "which do not come into consciousness, but still are ever thronging the nerves of sense" upon the individual, we can properly recognize their influence upon the nation. The effect of these laws has undoubtedly given the American heredity its high standard.

Huxley noticed that the American physical development has not declined. Even the most careless observer must notice that the American moral and intellectual development has not declined. The love of freedom, the mental activity, the chivalrous courage, the devotion to a principle, the intense feeling, the keen and quick sentiment, the self-assertion and ambition, which characterized the fathers who colonized, freed, and established the American nationality, have descended to their sons in measure proportionate to the demands and exigencies of the times. Soil, climate, institutions, have all made up the American, who possesses as a national characteristic the proud self-reliance which in other ages and on other soils has established a powerful social class, and has hedged it about with supreme rights and privileges. It is the advocates and promoters of education, the religious teachers, the lawgivers, the press, the authors, the founders and builders of great enterprises, the active, industrious, intelligent mass, drawn from every walk in life, who constitute in any way the patrician element of American society—the lovers of art, and science, and literature, the natural allies of all those who in any country believe in the capacity of the people to advance to the farthest verge of social and civil progress, and who believe also in mental and moral elevation. From this mass come the "fathers' children," the heirs of the only nobility which cannot die out, the only titles which depend not on wealth and power. This vital force of the republic is as fixed here as are our republican institutions, and is our national inheritance. Said Bentham to the Americans of his day: "Beware of an hereditary nobility. The patrimony of merit soon comes to be one of birth. Bestow honor, erect statues, confer titles, but let these distinctions be personal. Preserve all the force and all the purity of honors in the state, and never part with this precious capital in favor of any proud class that would quickly turn their advantages against you": a warning which has not been forgotten, and the observance of which has given the American republic a more permanent and powerful social organization than has ever been built up on classification and legitimacy in their proudest and most prosperous days.

GEORGE B. LORING.

A NEW PHASE OF THE REFORM MOVEMENT.

THE writer of fiction needs a peculiar temperament, and when to this is added a habit of creating his facts and of giving words and motives to his characters, it is very difficult for him to do justice to sober truth and reality. He must be leniently judged. The article in the April number of this Review, "Reform *versus* Reformation," is a case in hand. Mr. Tourgee, its author, has rendered good service in a field where his information was ample and his special capacity effective. Perfectly sincere, we have no doubt, and not intending to misrepresent or defame, we have to regret that, between information that was inadequate and a prepossession which appears overwhelming, he has, in various particulars, rather obscured than illustrated the truth upon the Civil Service question. This is all the more unfortunate because a full discussion, from every point of view, is to be desired. That whimsical title, as the author explains it, we must think discloses a fundamental misconception of the nature and meaning of Civil Service Reform—if, indeed, we are not to accept his article as a burlesque. Civil Service Reform does not require a forming-over, or a structural change of any kind—as Mr. Tourgee imagines it does—in the Constitution, the departments, the bureaus, the offices, or in the functions of those who fill them, or in anything else; but a return to the true, original system; honesty, fidelity, and justice; qualification for office as a condition for receiving it; disqualification as a cause of removal; protection from partisan assessments and official dictation at elections; the recognition of the general welfare as paramount to the interests of party, factions, and individuals. An appreciation of those truths alone would have excluded our author's title and no small part of what follows it. In another way, his title made a fool's errand almost inevitable. Reform and reformation

equally, and in the only sense in which he or the reformers could use them, mean to make things better. Reform makes a reformation, and a reformation is the reform made. Each is equal to the other and identical in substance. The pretended contrast of meaning, far less than that between tweedle-dum and tweedle-dee, on which his title is founded is, at most, a very fanciful sort of fiction. His grave charges—based upon that conceit of difference and expounded through pages—that the reformers falsely sought and gained favor and prestige not their due, that they even led the great parties into what he calls their subterfuges and evasions, in dealing with the Civil Service issue, merely by putting the word reform instead of reformation upon their banners, is too preposterous even for sober fiction—is fit only for a comedy of errors. Much space is used to make reformers appear ridiculous, to cast suspicion upon their motives, and to present their methods as chimerical. Some ministers are charged with preaching against original sin, and Adam as its cause, and not against sinners. Our author has improved on this by saying nothing against the spoils system or those who uphold it, while berating and defaming the reformers and whatever they do. Without doubt the reformers are very faulty. They are fearfully wicked, according to Mr. Tourgee. If he believed in such substitutes as he has offered for fact and argument, it is only to be regretted that he did not copy something really good of the kind from the writings of the last apologists of the British spoils system of twenty-five years ago; or from the stump speeches of Mr. Conkling,—a good fellow-hater of all reformers,—who has expressed more scorn and sarcasm in a few short sentences than Mr. Tourgee has got into ten pages. Or he might have borrowed something almost brilliant from Gail Hamilton's forty columns in the "Tribune" by which she disastrously tried to help Mr. Blaine to the Presidency four years ago,—Mr. Blaine, the Secretary of State, for whom alone, of all living men, Mr. Tourgee has a compliment—far-fetched indeed. We fear Mr. Tourgee is in error in supposing that the reformers, "seated on the hill-top of reform" and unterrified as they seem to be by the cobblestones hurled by chieftains and bullies, can ever be brought down by grass from the spoils-system bog, however skillfully a writer of fiction may throw it. When Mr. Tourgee declared, in one breath, that Mr. Eaton's work—"Civil Service in Great Britain"—"is a most interesting and valuable treatise," which

has exhausted the analogies between the British service and our own, and in the next declared (among other matters equally unwarranted) that, in Mr. Eaton's view, all who opposed the reform "acted from corrupt and unworthy motives," he, of course, did not expect both parts of the statement to be believed; for it is incredible that an intolerant bigot could have written such a work, and all the more so that he would have gone over centuries of administration for arguments, adapted only to the candor and consciences of men if he thought those whom he addressed could be influenced only by corrupt and unworthy motives. So, too, Mr. Tourgee must have expected his readers to make a choice, when on one page he says the results of the reform system in Great Britain "are limited, as yet, to two, to wit, the prime cost and the formal efficiency of the service"; and, on others, that "the system has been successful in giving a cheaper, more intelligent, and effective service . . ." and "is a great step forward . . . a direct assault upon the citadel of class supremacy—a grand movement toward democracy" (pp. 309, 313, 316).

Our author's antagonism to Civil Service Reform is natural enough in view of his premises. He declares himself opposed to having "the business of the Government done on business principles"; an avowal which, if frankly made by all opponents of reform, would probably do more to advance it than the joint efforts of all the reformers. He also declares that "the regular army is at best an excrescence in a republican government; . . . it has been the dread of our statesmen; . . . the very perfection of [its] action makes it dangerous to liberty." We certainly had supposed our army had contributed to liberty—even at the South, but on that point Mr. Tourgee is the best authority —and that it was the pride of our statesmen and the dread only of our demagogues and our enemies. We had regarded the perfection of its education and its discipline, which has kept it out of politics and given it victory in the battle-field, as our safety and not our danger. But we concede that any one who thinks otherwise may very consistently prefer a partisan, rotating, half-educated civil service. If our author's definition of "excrescence" is not as anomalous and original as his definition of reform, and he allows this nation to be a republic, will he tell us how that army, of which our original Constitution makes the President "Commander-in-Chief," is any more an excrescence than the

President himself—any more an excrescence than Mr. Tourgee's own right arm which was born a part of him?

But the most extraordinary of all our author's sayings relate to the Pendleton Bill, to be hereinafter explained. Under five heads, he sets forth what he declares to be in effect its provisions. Not one of these statements is warranted by the Bill—misapprehensions and misstatements, in essential particulars, one and all. The two most important are sheer products of the imagination,—not bricks without straw merely, but bricks without straw, mortar, or sand,—airy nothings, elaborately wrought into a gossamer fortress from which to do battle against the reformers, and blow the trumpet of peril. A Bill that contains not a word on either subject is elaborately expounded as providing a life tenure of office, and as forbidding officials any part—beyond voting—in political organization. The dreadful consequences to be feared from these hobgoblins of the brain fill lugubrious pages of warning. When the minister took for his text the last four words from the passage, "Let him that is upon the house-top not come down," he was at least right as far as he went. We can account for Mr. Tourgee's being, in perfect good faith, wholly in the wrong by assuming—what we are quite sure was the fact—that, when he undertook to instruct the public in regard to this Bill, his information was confined to the contents of a telegraphic dispatch found floating in the newspapers—an adequate basis undoubtedly, if we may regard his article as a burlesque. That it was intended as such, even the adornments of the tale suggest; Luther's dispute with Zwinglius about the Lord's Supper, for example, being transformed into a quarrel over the method of assaulting Rome, and the condemnation and the burning of Servetus under Calvin's thirty-eight articles, each of them graceless to the last degree, doing duty as a roasting for "inventing a new theory of the operation of grace." We recognize the fact that Mr. Tourgee does not defend the spoils system. He admits great evils and the duty of reforming them. He is half a reformer himself, profusely as he abuses all reformers more advanced. He is in that state of doubt in which men incline to do nothing, and are impatient with those ahead of them. There are many such. With them Thomas is the greatest of all the apostles, and the ass going from one bundle of hay to another, neither eating nor working, is a better beast than either the horse or the ox, who have no doubt about

their fodder and no end of work. The doubting mood is yet hopeful.

And now for something more important. When the national Senate with many important nominations before it has been engaged for many days in a contest of physical endurance, leading to angry and irrelevant debates over an attempt to make a change, for political reasons, in mere ministerial or clerical offices,—the holders of which, under a good system, would not be disturbed while their duties were properly performed,—such a time surely is fit for considering what are the chances of such a system. The movement in that direction, which for some years has been gaining strength, may now be said to have entered upon a new phase. The peril from abuses and the duty of arresting them have been so strongly presented that they are now admitted by a great body of candid and thoughtful citizens, who, in the natural course of reasoning, turn next to the methods of relief, thus giving that subject a prominence unknown before. It troubles the leaders of both parties and is being seriously discussed among the people. The Republicans, in various ways most pledged and embarrassed by methods of reform from which many of them shrink,—methods which stand approved by decisive experience and by the testimony of presidents and the most competent subordinates of their own choice and party,—are considering whether to advance upon the line of demonstrated well-doing or to seek relief in some other action in the name of reform, such as interfering with the executive control of removals and fixing short terms of service by act of Congress; methods which will obstruct neither patronage nor proscription, but will add new evils to the old ones. In the meantime—and for the first time in our history—a subordinate officer, with no strength as a mere politician, has won such popularity, simply by good administration upon the methods which his party shrinks from sustaining, that public opinion, promptly recognized by the President, has not only made him Postmaster-General, but, equally without precedent, has made his first subordinate head of the New York post-office. The better methods which have thus taken that office out of partisan politics and placed the trained official, by whom those methods were put in practice, at the head of the post-office department, have also gone far toward a like victory at the New York custom-house. The public estimate of the better administration of late in that office, under the same system which re-

formed the post-office, is now finding such expression in protests and petitions against any change as has been until this time unknown in regard to any subordinate office. What may be the direct result in this first contest between partisan policy and the great mercantile interests of the country, over New York custom-house administration, is yet uncertain. That the business interests will win the day in the not remote future need not be doubted. The facts disclosed cannot be suppressed. The growth of public opinion cannot be arrested. Outside official and partisan circles, the tendency of the public mind is clearly marked in the establishment of Civil Service Reform associations in the larger cities, and in the rapid growth of a literature upon the subject of administration.

The Democrats, estimating the consequences, in the meantime —we do not inquire in what degree moved by selfish sagacity or by patriotic conviction, and doubtless by both—have certainly utilized that tendency most adroitly: first, by tendering to a Republican President an appropriation, repeatedly requested both by President Grant and President Hayes, of $15,000 to carry forward the reform (and by aid of which it may be at once resumed) according to the methods which both these Presidents approved, under the § 1753 of the United States Revised Statutes, enacted by a Republican Congress; and, second, by bringing forward in the Senate a Bill broadly pledging Congress in the work of reform—a pledge and coöperation which three Republican Presidents have declared to be a condition of thorough reform. This Bill, carefully prepared by an association of gentlemen representing both parties, and, after a thorough discussion, approved by a committee of the Senate, also composed of members of both parties, was reported to the Senate by Mr. Pendleton, last February, accompanied by an able report, with the approbation of every member of the committee who attended its meetings—including members of both parties. It hardly need be pointed out that a failure by an administration to avail itself of the means placed at its disposal by this appropriation for advancing the work of reform—the further salutary enforcement of which both President Grant and President Hayes declared was arrested by reason of Congress refusing an appropriation—is likely to be accepted as a repudiation of all purpose of removing abuses by the methods thus tested and commended.

There are three other ways of dealing with the subject: first, an open abandonment of all pretense of a reform policy; second, a resort to some original method; third, the support of the Pendleton Bill—if the latter course can in any way be reconciled with declining to use the $15,000 under the Revised Statutes. It is plain that action or inaction under the present phase of the matter—by bringing to a direct practical test the policy of the dominant party and the spirit and aim of those reponsible for its direction—must decide not only whether that party can hereafter have credit for any purpose of reform or any ground for preference on the part of those who treat that subject as paramount, but also whether the Democrats are to be allowed to destroy or capture strength from that quarter through a mere promise to be reformers if they had control of the Government. These considerations, not less than the nature of its provisions, give much significance to the Pendleton Bill. It is likely, we think, to cause an important debate in Congress at the next session.

The greater evils of the spoils system are these: first, the use of the appointing power by the executive and his subordinates for personal and partisan objects; second, the usurped control of that power by members of Congress—which impairs the counterpoise of the Government—and its prostitution for the same objects, which enables Congressmen to coerce the President, to confer salaries upon their unworthy henchmen pushed into the departments, and to secure votes by the promise of places; third, partisan chieftains, officials, and managers foisting their incompetent favorites upon the public service and using them to control conventions, nominations, and elections; fourth, political assessments by which public servants are robbed to fill the party treasury and to make the party managers and the politician class independent of the people; fifth, promotions without merit—insults to every competent official—and the consequent impairment of energy and honorable competition in the public service; sixth, removals without cause, which repel the most worthy who would apply for offices, and make servile dependents of so many who fill them, besides in various ways tending to extravagance, corruption, and inefficiency. These despotic and corrupt influences taking the place of merit, duty, and the public welfare as controlling considerations in appointments, render it very difficult for the officer having the appointing power to make a good appointment if he

wishes to do so. This difficulty becomes greater in the degree that the location of an office is a center of political activity and those in office are numerous. When the numbers are such that the head of the office has no adequate opportunity of knowing individual qualifications,—and especially in the larger offices where he does not know even the names of many of those under him,—the appointing officer is forced to rely for information upon the patronage-broker and office-filling class of politicians whom that system makes supreme over appointments. In these larger offices, for that reason, and also because abuses are the greatest, examinations as to capacity are most needed, most useful, and should be first required. They had become so indispensable prior to 1853 that, in that year and in 1855, examinations were provided for by act of Congress and have since been continued, though by methods the most defective and faulty; and they were (doubtless intentionally) so conditioned that only those could be examined who had been selected and sent for for that purpose by the very officials and politicians who, as already stated, had monopolized the appointments and filled and ruled the public service. Without the consent of those monopolists, no one was allowed to be examined. These acts conferred on the citizen no right to go into the examination. The capacity of those reaching the public service was, even when the examinations were thus restricted to the selected favorites, considerably improved, for some dunces were arrested; but the old monopoly was not broken up, nor does it seem to have been the intention that it should be. It is only the open competitive examinations—so long found salutary in Great Britain and other well-governed countries, first recommended and applied in this country by President Grant, later resumed by President Hayes and commended for their good effects by President Garfield in speeches in Congress, and proved to be so beneficial at the post-office and custom-house at New York City—which are sufficient to break up this monopoly. They open a free passage to the worthy to go and be examined. They give the appointing officer the opportunity of a selection of the most competent from among the competitors. They say to the old monopolists, you shall no longer control the gates to the public service; they shall be free, so that the Government may bring the most worthy into its service. There is no space for citing the overwhelming evidence, here and abroad, which proves that competitive examina-

tions result in superior officials, greater economy, and purer and more efficient administration. It is plain that such examinations break up patronage and the giving of places for votes, because they allow no man to get a place through bargains or influence.

The Civil Service Commission organized under President Grant's administration pursuant to the law of 1871—a law in various ways defective, though sound in principle—had for its object the establishment and supervision of a just system of competitive examinations. That the execution of this law was imperfect and unsatisfactory is well known. Yet President Grant to the last bore testimony to the beneficial effects of competitive examinations under it, and in his last message on the subject expressed his mortification because the refusal of an appropriation by Congress had arrested the work of reform. The Pendleton Bill appears to supply the defects in the statute of 1871. It puts the Commission upon a better basis by providing adequate safeguards and regulations for the discharge of its duties.

The appointing power under the Constitution and the duty to appoint the most worthy rest with the President, or are shared by such heads of departments as they may be conferred upon by act of Congress. The function of the Commission is not to interfere with this power, but to aid the President and heads of departments in its proper exercise by ascertaining who have the most adequate qualifications. The Commission has no authority over—no function to interfere with—appointments. It reports to the President the relative qualifications, the evidence of which remains permanently on record, so far as the competitions disclose them, of those who have competed. The President and heads of departments select from the candidates appearing best qualified, as they select from among those examined under the laws of 1853 and 1855. The great differences are (1) in the persons who may be examined, and (2) in the efficiency of the methods of examination. In either case, the theory and abstract principle are that qualifications, and not mere influence, should control. It is only competitive examinations that effectively apply that theory and principle in practice. The power of discipline over those in the public service and to regulate the doing of the public work, if primarily and most fitly with the President, is yet a power which Congress in some degree shares. In that view, Congress, in this bill, declares its

policy in regard to regulations or rules, which the Executive is to prepare and apply according to the varying exigencies of the public service; and so far and so far only and with such conditions as the Executive may approve. No constitutional power of the President on the subject can be impaired if this Bill shall become a law. The rules and regulations under the Bill may be to this effect: (1) Competitive examinations as to capacity in all appropriate cases for admission to the service; (2) entrance to the service, as a general rule, at the lower grades; (3) probation or trial of business capacity before actual appointment; (4) promotion for merit; (5) exemption from political assessments and from liability to removal for refusing to pay them; (6) no removals without proper cause; and (7) an end of the use of official authority to coerce elections and political action, the official having the liberty of other citizens, save so far as the proper discharge of his duties occupies him. The passage of this bill would enable the President to remove the many abuses for which such provisions, duly enforced, are manifestly a remedy; and its passage by Congress would seem to discharge the duty of that body on this subject.

The Executive takes, by the Constitution, great power, yet unexercised, for the removal of such abuses; and, with this Bill a law, that power would seem to be ample. Thereafter the responsibility for their continuance would rest almost wholly upon him, justly upon him who ought to take—who ought to feel it equally a duty and an honor to take—the lead and have the responsibility in purifying and rendering efficient his own department. Heretofore Congress, quite as much as the President, has been responsible for the condition of the executive department. If this bill impaired the authority or the responsibility of the President, or was an assumption of power by Congress, it would certainly be objectionable. We cannot see that such is the fact, but rather that Congress would, by its enactment, abandon its long-continued and disastrous usurpation, and the President and the heads of departments would be secured a real liberty to perform their plain duty under the Constitution.

Apparently with a view to the most ample experience before its general enforcement, the new system, under this Bill, is not to be put in practice, except in the great departments at Washington and in post-offices and custom-houses having as

many as fifty clerks—perhaps there are about forty of these offices, and there the abuses are greatest—until the President shall direct it to be done. He, of course, will be guided by the results in these large offices. The Bill interferes in no way with the term or tenure of office, except by committing Congress to the theory that removals should not be made for refusing to pay political assessments. A law of 1820 and some later acts, as is well known, have reduced the term of postmasters, collectors, and certain other officers to four years, thereby causing more frequent and demoralizing contests for those offices than would have existed if the term had remained what it was under the Constitution itself. The Pendleton Bill, however, leaves these acts undisturbed. A measure so moderate and carefully guarded may perhaps enable the friends of reform in both parties to unite in its support.

What is the most appropriate term for these offices—if a fixed term be found advisable—can be better determined after we have had more experience under a system which brings persons into office because they are most worthy to fill them. Then we may hope that partisan influence will be so much excluded and excessive activity for securing places so much allayed that there will be a fair degree of wisdom and independence for settling the question wisely. The only term that could now be fixed would probably be one of four years. Strange fallacies seem to find credence as to the relation between the reform system, or competitive examinations, and the term of office. The way of getting into office may—almost necessarily does—determine the kind of a man you have there, but in no way the length of time he is to stay. The shorter the time he is to stay, the more he needs to know when he enters; for if he have but little time to learn, he may go out by the time he has fairly mastered his duties. The better men the people get for office, the more inclined they will undoubtedly be to keep them a considerable time. Yet, in whatever way persons may come into the service, it is too plain for argument that the term may be long or short. It may be for six months, as in some of the New England colonies, or for one year, as in the case of the Athenian generals; or for four years, so as to make the place of every porter, door-keeper, and washerwoman dependent upon the result of a Presidential election; or it may be for any longer time, as the public good may require. If a man selects a good wife rather than a bad

one, he is not, for that reason, prevented from getting a divorce; or chooses a competent doctor rather than a quack, he is not for that reason compelled never to dismiss him, however much the probabilities may be increased that it will be a longer time before he will wish to do so. Theories and assumptions to the contrary would never have been advanced were they not needed to sustain a spoils system indefensible upon sound reasoning.

It is only necessary to consider the character of the existing abuses which we have stated to see that by far the greater part of them grow out of the way of getting into office, and the partisan and corrupt influences to which officials are constantly subjected. Nearly all these abuses existed in an equal or greater degree in Great Britain before the reform system was enforced, and where the tenure was during efficiency and good behavior. The competitive system removed them. There will be few removals without cause when the vacancy can be filled only through competition, and not by influence and pushing. Now officials are pushed out in order that favorites may be pushed in. Where competition prevails, the favorite of the great politician is very likely to be beaten by a more worthy competitor destitute of influence.

A life term of office is out of the question. Neither children nor dotards are useful in administering the government. We must select officials by means that will secure the most competent. They must go out of the service when—and if the public interest is to be regarded, only when—they cease to be the most useful to be in it. The right to remove, and the duty to remove—equally essential to discipline, to efficiency, and to economy—must exist, and removals ought to be made, and alike whether terms be long or short: (1) For incompetency, mental or physical, for the public work; (2) by reason of conviction of a criminal offense, at least if involving dishonesty; (3) for immoral or dishonest conduct, dangerous or disgraceful to official life; (4) for willful disobedience to legal and reasonable regulations or instructions, at least if persisted in; and perhaps for some other causes.

Whether, contrary to the practice from the beginning, there should be an arbitrary limitation, either based on the time they have held their particular offices (or any and all offices in the Federal service) or upon the age they have reached,—according to which there would be a *rotation* among the tens of thousands of clerks in all the departments and in all the post-offices, custom-houses, and other offices in the country,—or whether the original

constitutional term should still prevail, will, when thoughtfully considered, be found a grave question, involving the independence of the Executive, the counterpoise of our system A four-years' term would, for example, require—aside from all removals for cause and without cause—more changes at Washington each year than have taken place there under any administration, and at least one change every day in the custom-house at New York; in other words, changes as frequent, for an established order of things, as have ever taken place in the most proscriptive period following a presidential election! The partisan machine for filling vacancies would need to be kept working every day. Its constant activity would redouble the clamor and the pressure for removals. Who can say they would be resisted? If the rule is to be laid down that a clerk is to go out arbitrarily, at a particular time, and not because he has ceased to be the best clerk, what good reason could be given against sending him away at once, when another, an official or partisan favorite, pushed for the place? Since the right to remove for cause must remain, however short the term, it might, as easily as now, be abused for such a purpose. If rotation, on the communistic theory of giving everybody a chance to get into office, is to bring the term down to four years, the very reasoning on which rotation rests would require that the term should be shortened by arbitrary removals, or further reduced, if need be, to four months, whenever it shall appear that there are still outsiders demanding offices. In the very name of rotation, they would demand it. Such are the inevitable consequences of departing from the true rule, which is, to fix the term of office with stern and sole reference to the most beneficial doing of the public work. Every other rule is the rule of demagogues and communists, demoralizing as an example, disastrous in its effects, impracticable in its enforcement.

DORMAN B. EATON.

SHALL AMERICANS OWN SHIPS?

SINCE the war, public attention has been drawn more or less to the marked decline in American shipping. It has been generally assumed and conceded that this was a matter for regret, and some discussion has arisen as to remedies—what to do, in fact, in order to bring it about that Americans should own ships. In these discussions, there has generally been a confusion apparent in regard to three things which ought to be very carefully distinguished from each other: ship-building, the carrying trade, and foreign commerce.

First. As to ship-building—Americans began to build ships, as an industry, within fifteen years after the settlement at Massachusetts Bay. They competed successfully as ship-builders, before the Revolution, with the Dutch and English, and they sold ships to be used by their rivals. Tonnage and navigation laws played an important part in the question of separation between the colonies and England, and the same laws took an important place in the formation of the Federal Constitution. One generation was required for the people of this country to get over the hard logical twist in the notion that laws which were pernicious when laid by Great Britain were beneficial when laid by ourselves. The vacillation which has marked the history of our laws about tonnage and navigation is such that it does not seem possible to trace the effects of legislation upon ship-building. In the decade 1850–1860 a very great decline in the number of ships built, especially for ocean traffic, began to be marked. Sails began to give way to steam, but the building of steam-ships required great advantages of every kind in the production of engines and other apparatus—that is, it required the presence, in a highly developed state, of a number of important auxiliary and coöperating industries. As iron was introduced into ship-building, of course the ship-building industry became dependent upon cheap supplies of

iron, as it had before been dependent on cheap supplies of wood. No doubt these changes in the conditions of the industry itself have been the chief cause of the decline in ship-building in this country, and legislation has only had incidental effects. It is a plain fact of history that the decline in ship-building began before the war and the high tariff. Of course the effects produced by changes in the conditions of an industry are inevitable. They are not to be avoided by any legislation. They are annoying because they break up acquired habits and established routine, and they involve loss in a change from one industry to another, but legislation can never do anything but cause that loss to fall on some other set of people instead of on those directly interested. Within the last few years it has become certain that steel is to be the material of ocean vessels—a new improvement which will not tend to bring the industry back to this country. On the whole, therefore, the decline in ship-building of the last twenty-five years seems to indicate that somebody else than ourselves must build the world's ships for the present. We have, by legislative devices, forced the production of a few ocean steamers, but these cases prove nothing to the contrary of our inference. If this nation has a hobby for owning some ships built in this country, and is willing to pay enough for the gratification of that hobby, no doubt it can secure the pleasure it seeks. A fisherman who has caught nothing sometimes buys fish at a fancy price. He saves himself mortification and gets a dinner, but the possession of the fish does not prove that he has profitably employed his time or that he has had sport.

Second. The carrying trade differs from ship-building as carting differs from wagon-building. Carrying is the industry of men who own ships. Their interests are more or less hostile to those of the ship-builders. Ship-owners want to buy new ships at low prices. They want the number of competing ships kept small. They want freights high. In all these points the interest of the ship-builder is the opposite. The ship-owner is indifferent where he gets his ships. He only wants them cheap and good. There is no sentiment in the matter any more than there is in the purchase of wagons by an express company, or carriages by a livery-stable keeper.

Third. Foreign commerce is still another thing. It consists in the exchange of the products of one country for those of

another. The merchant wants plenty of ships to carry all the goods at the lowest possible freights, but it is of no importance to him where the ships were built, or who owns and sails them.

A statement and definition of these three industries suffices to show what confusion must arise in any discussion in which they are not properly distinguished. It is plain that there are three different questions: (1) Can the farmer build a vehicle? (2) Can he get his crop carried to market? (3) Can he sell his crop? It is evident that a country which needs a protective tariff on iron and steel must give up all hopes of building ships for ocean traffic. For the country which, by the hypothesis, needs a protective tariff on iron and steel cannot produce those articles as cheaply as some other country. Its ships, however, must compete upon the ocean with those of the country which has cheap iron and steel. The former embody a larger capital than the latter, and they must be driven from the ocean. If, then, subsidies are given to protect the carrying trade, when prosecuted in ships built of protected iron, the loss is transferred from the ship-owners to the people who pay taxes on shore. These taxes, however, add to the cost of production of all things produced in the country, and thereby lessen the power of the country to compete in foreign commerce. This lessens the amount of goods to be carried both out and in, lowers freights, throws ships out of use, checks the building of ships, and the whole series of legislative aids and encouragements must be begun over again, with a repetition and intensification of the same results. As long as the system lasts it works down, and the statistics show, very naturally, that fewer and fewer ships are built in the country, and that less and less of the carrying trade is carried on under the national flag. In view of the three different and sometimes adverse interests which are connected by their relation to the shipping question, it is not strange that when the representatives of those interests meet to try to consider that question, there should simply be a scramble between them to see which should capture the convention. The last convention of this sort was captured by the owners of a lot of unsalable and unsailable old hulks, who had hit upon the brilliant idea of getting the nation to pay them an annual bounty for the use of their antiquated and dilapidated property. Strange to say, in a country which is charged with being too practical and hard-headed, this proposition received respectful

attention and consideration. It is also strange that our people should believe that taxing farmers to force the production of iron, taxing farmers again to force the production of ships out of protected iron, and taxing farmers again to pay subsidies to enable protected ships to do business, is a way to make this country rich.

So soon as the three different industries, or departments of business, which I have described are distinguished from each other, it is apparent that the fundamental one of the three is foreign commerce. If we have no commerce we need no carrying, and it would be absurd to build ships. If we have foreign commerce its magnitude determines the amount of demand there is for freight and for ships. The circle of taxation which I have described above, and which is obviously only a kind of circuit, described from and upon the farmer as a center and fulcrum to bear the weight of the whole, is necessarily and constantly vicious, because it presses down on the foreign commerce, which is the proper source of support for carrying and ship-building. On the other hand, the emancipation of foreign commerce from all trammels of every sort is the only means of increasing the natural, normal, and spontaneous support of carrying and ship-building, assuming that the carrying trade and ship-building are ends in themselves.

It is, however, no object at all for a country to have either ship-building industry, or carrying trade, or foreign commerce. Herein lies the fundamental fallacy of all the popular and Congressional discussions about ships and commerce. It is only important that the whole population should be engaged in those industries which will pay the best under the circumstances of the country. For the sake of exposing the true doctrine about the matter, we may suppose (what is not conceivable as a possible fact) that a country might not find greater profit in the exportation of any part of any of its products than in the home use of the same. If this could be true, and if it were realized, the proof of it would be that no foreign trade would exist. There would be no ground for regret since the people were satisfied and were better off than as if they had a foreign trade. Carrying trade and ship-building would not exist.

If a country had a foreign trade of any magnitude whatever, it would not be any object for that country to do its own carrying. The figures which show the amount paid by the people of

the United States to non-American ship-owners for freight, and the figures which show the small percentage of our foreign commerce which is carried under the American flag, in themselves prove nothing at all. The only question which is of importance is this: Are the people of the United States better employed now than they would be if engaged in owning and sailing ships? If they were under no restraints or interferences, that question also would answer itself. If Americans owned no ships and sailed no ships, but hired the people of other countries to do their ocean transportation for them, it would simply prove that Americans had some better employment for their capital and labor. They would get their transportation accomplished as cheaply as possible. That is all they care for, and it would be as foolish for any nation to insist on doing its own ocean transportation, devoting to this use capital and labor which might be otherwise more profitably employed, as it would be for a merchant to insist on doing his own carting, when some person engaged in carting offered him a contract on more advantageous terms than those on which he could do the work.

Furthermore, the people of a country which had little foreign commerce might find it very advantageous to prosecute the carrying trade. In history, the great trading nations have been those which had a small or poor territory at home. The Dutch were the great carriers of the seventeenth and eighteenth centuries, when the foreign commerce of their own territory was insignificant. The New Englanders of the last century and of the first quarter of this century became the carriers of commodities to and fro between all parts of the world, especially between our Middle and Southern States and the rest of the world. They took to the sea because their land did not furnish them with products which could remunerate their capital and labor so well as the carrying trade did. They won a high reputation for the merchant service, which was in their hands, and they earned fortunes by energy, enterprise, promptitude, and fidelity. The carrying trade is an industry like any other. It is neither more nor less desirable in itself than any other. In any natural and rational state of things it would be absurd to be writing essays about it. If any one thought he could make more profit in that business than in some other he would set about it. When the census was taken he would be found busy at that

business, would be so reported, and that would be the end of the matter as a phenomenon of public interest.

If a nation had foreign commerce, and some of its citizens found the carrying trade an advantageous employment for their labor and capital as compared with other possible industries in the country, it would not follow that some other citizens of that country ought to engage in ship-building. It is no object to build ships, but only to get such ships as are wanted, in the most advantageous manner. If a man should refuse to carry on a carting business unless he could make his own wagons, it would be such a reflection on his good sense that his business credit would be very low. If some Americans could buy and sail ships so as to make profits, what is the sense of saying that they shall not do it, because some other Americans cannot build ships at a profit? Only one answer to this question has ever been offered by anybody, and that is the prediction that, some day, if we go without ships long enough, we shall, by the mere process of going without, begin to get some,—a prediction for which the prophets give no guarantee, in addition to their personal authority, save the fact that we have fewer ships and worse ones every year.

I have said above that, if there were no restraints or interferences, we should simply notice whether any Americans took to the carrying trade or not, and should thence infer that they might or might not be better employed in some other industry. It is impossible, now, to say whether, if all restrictions were removed, the carrying trade or ship-building would be profitable industries in the United States or not. Any opinion given by anybody on that point is purely speculative. The present state of the iron and steel industries, and of the manufacture of engines and machinery, is so artificial that no one can judge what would be the possibilities of those industries under an entirely different state of things. It is, however, just because the present state of things prevents a free trial that it is indefensible. We are working in the dark and on speculation all the time. We have none of the natural and proper tests and guarantees for what we are doing. We are controlled by the predictions of prophets, the notions of dogmatizers, the crude errors of superficial students of history, the wrong-headed inferences of shallow observers, and the selfish machinations of interested persons. We can distinguish many forces which are at work on our ship-building and on our carrying trade, but none of them

are genuine or respectable. We are submitting to restraints and losses, and we have no guarantee whatever that we shall ever win any compensation. The teaching of economic science is distinctly that we never shall win any. We are expending capital without any measurement or adjustment of the *quid pro quo*. We are spending without calculation, and receiving something or nothing,—we do not know which. The wrong of all this is not in the assumption that we have not certain industries which we would have (for we cannot tell whether that is so or not), but the wrong is in the arbitrary interference which prevents us from having them, if any man wants to put his capital into them, and which prevents us from obtaining the proper facts on which to base a judgment about the state and relations of industries in the country.

Whenever the question of ships is raised, the clamor for subsidies and bounties is renewed, and we are told again that England has established her commerce by subsidies. It would be well if we could have an understanding, once for all, whether England's example is a good argument or not. As she has tried, at some time or other, nearly every conceivable economic folly, and has also made experiment of some sound economic principles, all disputants find facts to suit them in her history, and it needs only a certain easily acquired skill in misunderstanding things to fashion any required argument from the economic history of England. Some of our writers and speakers seem to be under a fascination which impels them to accept as authoritative examples the follies of English history, and to reject its sound lessons. In the present case, however, the matter stands somewhat differently. England is a great manufacturing town. It imports food and raw materials, and exports finished products. It has, therefore, a general and public interest in maintaining communication with all parts of the world. The analogy in our case is furnished by the subsidized railroads in our new States, or, perhaps even better, by the mail routes, which we sustain all over our territory, from general considerations of public advantage, although many such routes do not pay at all. Subsidies to ships for the mere sake of having ships, or ocean traffic, when there was no business occasion for the subsidized lines, would have no analogy with English subsidies.

If then the question is put, Shall Americans own ships? I do not see how any one can avoid the simple answer, Yes; if they

want them. Universally, if an American wants anything, he ought to have it, if he can get it, and if he hurts no one else by getting it. To enter on the question whether he is going to make it or buy it, and whether he is going to buy it of A or of B, is an impertinence. We boast a great deal of having a free country. Our orators shout themselves hoarse about liberty and freedom. Stop one of them, however, and ask him if he means free trade and free ships, and he will demur: No; not that. That will not do. He is in favor of freedom for himself and his friends in those respects in which they want liberty against other people, but he is not in favor of freedom for other people against restraints which are advantageous to him and his political allies. He is in favor of freedom for those who are being oppressed—by somebody else; not for those who are being oppressed by himself. I heard it asserted not long ago that we have no monopolies in this country, *because* it is a free country. It is not a free country, because there are more artificial monopolies in it than in any other country in the world. The popular notion that it is free rises from the fact that there are fewer natural monopolies in it than in any other great civilized country. It is necessary, however, to go to Turkey or Russia to find instances of legislative and administrative abuses to equal the existing laws and regulations of the United States about ships, the carrying trade, and foreign commerce. These laws have been brought to public attention again and again, but apparently with little effect in awakening popular attention, while the newspapers carry all over the country details about abuses in Ireland, Russia, and South Africa. We should stop bragging about a free country and about the enlightened power of the people in a democratic republic to correct abuses, while laws remain which treat the buying, importing, owning, and sailing of ships as pernicious, or, at least, doubtful and suspicious actions. I have no conception of a free man or a free country which can be satisfied if a citizen of that country may not own a ship, if he wants one, getting it in any legitimate manner in which he might acquire other property; or may not sail one, if he finds that a profitable industry suited to his taste and ability; or may not exchange the products of his labor with that person, whoever he may be, who offers the most advantageous terms.

W. G. SUMNER.

THE COLOR LINE.

FEW evils are less accessible to the force of reason, or more tenacious of life and power, than a long-standing prejudice. It is a moral disorder, which creates the conditions necessary to its own existence, and fortifies itself by refusing all contradiction. It paints a hateful picture according to its own diseased imagination, and distorts the features of the fancied original to suit the portrait. As those who believe in the visibility of ghosts can easily see them, so it is always easy to see repulsive qualities in those we despise and hate.

Prejudice of race has at some time in their history afflicted all nations. "I am more holy than thou" is the boast of races, as well as that of the Pharisee. Long after the Norman invasion and the decline of Norman power, long after the sturdy Saxon had shaken off the dust of his humiliation and was grandly asserting his great qualities in all directions, the descendants of the invaders continued to regard their Saxon brothers as made of coarser clay than themselves, and were not well pleased when one of the former subject race came between the sun and their nobility. Having seen the Saxon a menial, a hostler, and a common drudge, oppressed and dejected for centuries, it was easy to invest him with all sorts of odious peculiarities, and to deny him all manly predicates. Though eight hundred years have passed away since Norman power entered England, and the Saxon has for centuries been giving his learning, his literature, his language, and his laws to the world more successfully than any other people on the globe, men in that country still boast their Norman origin and Norman perfections. This superstition of former greatness serves to fill out the shriveled sides of a meaningless race-pride which holds over after its power has vanished. With a very different lesson from the one this paper is designed

to impress, the great Daniel Webster once told the people of Massachusetts (whose prejudices in the particular instance referred to were right) that they "had conquered the sea, and had conquered the land," but that "it remained for them to conquer their prejudices." At one time we are told that the people in some of the towns of Yorkshire cherished a prejudice so strong and violent against strangers and foreigners that one who ventured to pass through their streets would be pelted with stones.

Of all the races and varieties of men which have suffered from this feeling, the colored people of this country have endured most. They can resort to no disguises which will enable them to escape its deadly aim. They carry in front the evidence which marks them for persecution. They stand at the extreme point of difference from the Caucasian race, and their African origin can be instantly recognized, though they may be several removes from the typical African race. They may remonstrate like Shylock—"Hath not a Jew eyes? hath not a Jew hands, organs, dimensions, senses, affections, passions? fed with the same food, hurt with the same weapons, subject to the same diseases, healed by the same means, warmed and cooled by the same summer and winter, as a Christian is?"—but such eloquence is unavailing. They are negroes—and that is enough, in the eye of this unreasoning prejudice, to justify indignity and violence. In nearly every department of American life they are confronted by this insidious influence. It fills the air. It meets them at the workshop and factory, when they apply for work. It meets them at the church, at the hotel, at the ballot-box, and worst of all, it meets them in the jury-box. Without crime or offense against law or gospel, the colored man is the Jean Valjean of American society. He has escaped from the galleys, and hence all presumptions are against him. The workshop denies him work, and the inn denies him shelter; the ballot-box a fair vote, and the jury-box a fair trial. He has ceased to be the slave of an individual, but has in some sense become the slave of society. He may not now be bought and sold like a beast in the market, but he is the trammeled victim of a prejudice, well calculated to repress his manly ambition, paralyze his energies, and make him a dejected and spiritless man, if not a sullen enemy to society, fit to prey upon life and property and to make trouble generally.

When this evil spirit is judge, jury, and prosecutor, nothing

less than overwhelming evidence is sufficient to overcome the force of unfavorable presumptions.

Everything against the person with the hated color is promptly taken for granted; while everything in his favor is received with suspicion and doubt.

A boy of this color is found in his bed tied, mutilated, and bleeding, when forthwith all ordinary experience is set aside, and he is presumed to have been guilty of the outrage upon himself; weeks and months he is kept on trial for the offense, and every effort is made to entangle the poor fellow in the confused meshes of expert testimony (the least trustworthy of all evidence). This same spirit, which promptly assumes everything against us, just as readily denies or explains away everything in our favor. We are not, as a race, even permitted to appropriate the virtues and achievements of our individual representatives. Manliness, capacity, learning, laudable ambition, heroic service, by any of our number, are easily placed to the credit of the superior race. One drop of Teutonic blood is enough to account for all good and great qualities occasionally coupled with a colored skin; and on the other hand, one drop of negro blood, though in the veins of a man of Teutonic whiteness, is enough of which to predicate all offensive and ignoble qualities. In presence of this spirit, if a crime is committed, and the criminal is not positively known, a suspicious-looking colored man is sure to have been seen in the neighborhood. If an unarmed colored man is shot down and dies in his tracks, a jury, under the influence of this spirit, does not hesitate to find the murdered man the real criminal, and the murderer innocent.

Now let us examine this subject a little more closely. It is claimed that this wonder-working prejudice—this moral magic that can change virtue into vice, and innocence to crime; which makes the dead man the murderer, and holds the living homicide harmless—is a natural, instinctive, and invincible attribute of the white race, and one that cannot be eradicated; that even evolution itself cannot carry us beyond or above it. Alas for this poor suffering world (for four-fifths of mankind are colored), if this claim be true! In that case men are forever doomed to injustice, oppression, hate, and strife; and the religious sentiment of the world, with its grand idea of human brotherhood, its "peace on earth and good-will to men," and its golden rule, must be voted a dream, a delusion, and a snare.

But is this color prejudice the natural and inevitable thing it claims to be? If it is so, then it is utterly idle to write against it, preach, pray, or legislate against it, or pass constitutional amendments against it. Nature will have her course, and one might as well preach and pray to a horse against running, to a fish against swimming, or to a bird against flying. Fortunately, however, there is good ground for calling in question this high pretension of a vulgar and wicked prepossession.

If I could talk with all my white fellow-countrymen on this subject, I would say to them, in the language of Scripture: "Come and let us reason together." Now, without being too elementary and formal, it may be stated here that there are at least seven points which candid men will be likely to admit, but which, if admitted, will prove fatal to the popular thought and practice of the times.

First. If what we call prejudice against color be natural, *i. e.*, a part of human nature itself, it follows that it must be co-extensive with human nature, and will and must manifest itself whenever and wherever the two races are brought into contact. It would not vary with either latitude, longitude, or altitude; but like fire and gunpowder, whenever brought together, there would be an explosion of contempt, aversion, and hatred.

Secondly. If it can be shown that there is anywhere on the globe any considerable country where the contact of the African and the Caucasian is not distinguished by this explosion of race-wrath, there is reason to doubt that the prejudice is an ineradicable part of human nature.

Thirdly. If this so-called natural, instinctive prejudice can be satisfactorily accounted for by facts and considerations wholly apart from the color features of the respective races, thus placing it among the things subject to human volition and control, we may venture to deny the claim set up for it in the name of human nature.

Fourthly. If any considerable number of white people have overcome this prejudice in themselves, have cast it out as an unworthy sentiment, and have survived the operation, the fact shows that this prejudice is not at any rate a vital part of human nature, and may be eliminated from the race without harm.

Fifthly. If this prejudice shall, after all, prove to be, in its essence and in its natural manifestation, simply a prejudice

against condition, and not against race or color, and that it disappears when this or that condition is absent, then the argument drawn from the nature of the Caucasian race falls to the ground.

Sixthly. If prejudice of race and color is only natural in the sense that ignorance, superstition, bigotry, and vice are natural, then it has no better defense than they, and should be despised and put away from human relations as an enemy to the peace, good order, and happiness of human society.

Seventhly. If, still further, this averson to the negro arises out of the fact that he is as we see him, poor, spiritless, ignorant, and degraded, then whatever is humane, noble, and superior, in the mind of the superior and more fortunate race, will desire that all arbitrary barriers against his manhood, intelligence, and elevation shall be removed, and a fair chance in the race of life be given him.

The first of these propositions does not require discussion. It commends itself to the understanding at once. Natural qualities are common and universal, and do not change essentially on the mountain or in the valley. I come therefore to the second point —the existence of countries where this malignant prejudice, as we know it in America, does not prevail; where character, not color, is the passport to consideration; where the right of the black man to be a man, and a man among men, is not questioned; where he may, without offense, even presume to be a gentleman. That there are such countries in the world there is ample evidence. Intelligent and observing travelers, having no theory to support, men whose testimony would be received without question in respect of any other matter, and should not be questioned in this, tell us that they find no color prejudice in Europe, except among Americans who reside there. In England and on the Continent, the colored man is no more an object of hate than any other person. He mingles with the multitude unquestioned, without offense given or received. During the two years which the writer spent abroad, though he was much in society, and was sometimes in the company of lords and ladies, he does not remember one word, look, or gesture that indicated the slightest aversion to him on account of color. His experience was not in this respect exceptional or singular. Messrs. Remond, Ward, Garnet, Brown, Pennington, Crummell, and Bruce, all of them colored, and some of them black, bear the same testimony. If what these gentlemen say (and it can be corroborated by

a thousand witnesses) is true there is no prejudice against color in England, save as it is carried there by Americans—carried there as a moral disease from an infected country. It is American, not European; local, not general; limited, not universal, and must be ascribed to artificial conditions, and not to any fixed and universal law of nature.

The third point is: Can this prejudice against color, as it is called, be accounted for by circumstances outside and independent of race or color? If it can be thus explained, an incubus may be removed from the breasts of both the white and the black people of this country, as well as from that large intermediate population which has sprung up between these alleged irreconcilable extremes. It will help us to see that it is not necessary that the Ethiopian shall change his skin, nor needful that the white man shall change the essential elements of his nature, in order that mutual respect and consideration may exist between the two races.

Now it is easy to explain the conditions outside of race or color from which may spring feelings akin to those which we call prejudice. A man without the ability or the disposition to pay a just debt does not feel at ease in the presence of his creditor. He does not want to meet him on the street, or in the market-place. Such meeting makes him uncomfortable. He would rather find fault with the bill than pay the debt, and the creditor himself will soon develop in the eyes of the debtor qualities not altogether to his taste.

Some one has well said, we may easily forgive those who injure us, but it is hard to forgive those whom we injure. The greatest injury this side of death, which one human being can inflict on another, is to enslave him, to blot out his personality, degrade his manhood, and sink him to the condition of a beast of burden; and just this has been done here during more than two centuries. No other people under heaven, of whatever type or endowments, could have been so enslaved without falling into contempt and scorn on the part of those enslaving them. Their slavery would itself stamp them with odious features, and give their oppressors arguments in favor of oppression. Besides the long years of wrong and injury inflicted upon the colored race in this country, and the effect of these wrongs upon that race, morally, intellectually, and physically, corrupting their morals, darkening their minds, and twisting their bodies and limbs out

of all approach to symmetry, there has been a mountain of gold —uncounted millions of dollars—resting upon them with crushing weight. During all the years of their bondage, the slave master had a direct interest in discrediting the personality of those he held as property. Every man who had a thousand dollars so invested had a thousand reasons for painting the black man as fit only for slavery. Having made him the companion of horses and mules, he naturally sought to justify himself by assuming that the negro was not much better than a mule. The holders of twenty hundred million dollars' worth of property in human chattels procured the means of influencing press, pulpit, and politician, and through these instrumentalities they belittled our virtues and magnified our vices, and have made us odious in the eyes of the world. Slavery had the power at one time to make and unmake Presidents, to construe the law, dictate the policy, set the fashion in national manners and customs, interpret the Bible, and control the church; and, naturally enough, the old masters set themselves up as much too high as they set the manhood of the negro too low. Out of the depths of slavery has come this prejudice and this color line. It is broad enough and black enough to explain all the malign influences which assail the newly emancipated millions to-day. In reply to this argument it will perhaps be said that the negro has no slavery now to contend with, and that having been free during the last sixteen years, he ought by this time to have contradicted the degrading qualities which slavery formerly ascribed to him. All very true as to the letter, but utterly false as to the spirit. Slavery is indeed gone, but its shadow still lingers over the country and poisons more or less the moral atmosphere of all sections of the republic. The money motive for assailing the negro which slavery represented is indeed absent, but love of power and dominion, strengthened by two centuries of irresponsible power, still remains.

Having now shown how slavery created and sustained this prejudice against race and color, and the powerful motive for its creation, the other four points made against it need not be discussed in detail and at length, but may only be referred to in a general way.

If what is called the instinctive aversion of the white race for the colored, when analyzed, is seen to be the same as that which men feel or have felt toward other objects wholly apart from

color; if it should be the same as that sometimes exhibited by the haughty and rich to the humble and poor, the same as the Brahmin feels toward the lower caste, the same as the Norman felt toward the Saxon, the same as that cherished by the Turk against Christians, the same as Christians have felt toward the Jews, the same as that which murders a Christian in Wallachia, calls him a "dog" in Constantinople, oppresses and persecutes a Jew in Berlin, hunts down a socialist in St. Petersburg, drives a Hebrew from an hotel at Saratoga, that scorns the Irishman in London, the same as Catholics once felt for Protestants, the same as that which insults, abuses, and kills the Chinaman on the Pacific slope—then may we well enough affirm that this prejudice really has nothing whatever to do with race or color, and that it has its motive and mainspring in some other source with which the mere facts of color and race have nothing to do.

After all, some very well informed and very well meaning people will read what I have now said, and what seems to me so just and reasonable, and will still insist that the color of the negro has something to do with the feeling entertained toward him; that the white man naturally shudders at the thought of contact with one who is black—that the impulse is one which he can neither resist nor control. Let us see if this conclusion is a sound one. An argument is unsound when it proves too little or too much, or when it proves nothing. If color is an offense, it is so, entirely apart from the manhood it envelops. There must be something in color of itself to kindle rage and inflame hate, and render the white man generally uncomfortable. If the white man were really so constituted that color were, in itself, a torment to him, this grand old earth of ours would be no place for him. Colored objects confront him here at every point of the compass. If he should shrink and shudder every time he sees anything dark, he would have little time for anything else. He would require a colorless world to live in—a world where flowers, fields, and floods should all be of snowy whiteness; where rivers, lakes, and oceans should all be white; where islands, capes, and continents should all be white; where all the men, and women, and children should be white; where all the fish of the sea, all the birds of the air, all the "cattle upon a thousand hills," should be white; where the heavens above and the earth beneath should be white, and where day and night should not be divided by light and darkness, but the world should be one eter-

nal scene of light. In such a white world, the entrance of a black man would be hailed with joy by the inhabitants. Anybody or anything would be welcome that would break the oppressive and tormenting monotony of the all-prevailing white.

In the abstract, there is no prejudice against color. No man shrinks from another because he is clothed in a suit of black, nor offended with his boots because they are black. We are told by those who have resided there that a white man in Africa comes to think that ebony is about the proper color for man. Good old Thomas Whitson—a noble old Quaker—a man of rather odd appearance—used to say that even he would be handsome if he could change public opinion.

Aside from the curious contrast to himself, the white child feels nothing on the first sight of a colored man. Curiosity is the only feeling. The office of color in the color line is a very plain and subordinate one. It simply advertises the objects of oppression, insult, and persecution. It is not the maddening liquor, but the black letters on the sign telling the world where it may be had. It is not the hated Quaker, but the broad brim and the plain coat. It is not the hateful Cain, but the mark by which he is known. The color is innocent enough, but things with which it is coupled make it hated. Slavery, ignorance, stupidity, servility, poverty, dependence, are undesirable conditions. When these shall cease to be coupled with color, there will be no color line drawn. It may help in this direction to observe a few of the inconsistencies of the color-line feeling, for it is neither uniform in its operations nor consistent in its principles. Its contradictions in the latter respect would be amusing if the feeling itself were not so deserving of unqualified abhorrence. Our Californian brothers, of Hibernian descent, hate the Chinaman, and kill him, and when asked why they do so, their answer is that a Chinaman is so industrious he will do all the work, and can live by wages upon which other people would starve. When the same people and others are asked why they hate the colored people, the answer is that they are indolent and wasteful, and cannot take care of themselves. Statesmen of the South will tell you that the negro is too ignorant and stupid properly to exercise the elective franchise, and yet his greatest offense is that he acts with the only party intelligent enough in the eyes of the nation to legislate for the country. In one breath they tell us that the negro is so weak in intellect, and so

destitute of manhood, that he is but the echo of designing white men, and yet in another they will virtually tell you that the negro is so clear in his moral perceptions, so firm in purpose, so steadfast in his convictions, that he cannot be persuaded by arguments or intimidated by threats, and that nothing but the shot-gun can restrain him from voting for the men and measures he approves. They shrink back in horror from contact with the negro as a man and a gentleman, but like him very well as a barber, waiter, coachman, or cook. As a slave, he could ride anywhere, side by side with his white master, but as a freeman, he must be thrust into the smoking-car. As a slave, he could go into the first cabin; as a freeman, he was not allowed abaft the wheel. Formerly it was said he was incapable of learning, and at the same time it was a crime against the State for any man to teach him to read. To-day he is said to be originally and permanently inferior to the white race, and yet wild apprehensions are expressed lest six millions of this inferior race will somehow or other manage to rule over thirty-five millions of the superior race. If inconsistency can prove the hollowness of anything, certainly the emptiness of this pretense that color has any terrors is easily shown. The trouble is that most men, and especially mean men, want to have something under them. The rich man would have the poor man, the white would have the black, the Irish would have the negro, and the negro must have a dog, if he can get nothing higher in the scale of intelligence to dominate. This feeling is one of the vanities which enlightenment will dispel. A good but simple-minded Abolitionist said to me that he was not ashamed to walk with me down Broadway arm-in-arm, in open daylight, and evidently thought he was saying something that must be very pleasing to my self-importance, but it occurred to me, at the moment, this man does not dream of any reason why I might be ashamed to walk arm-in-arm with him through Broadway in open daylight. Riding in a stage-coach from Concord, New Hampshire, to Vergennes, Vermont, many years ago, I found myself on very pleasant terms with all the passengers through the night, but the morning light came to me as it comes to the stars; I was as Dr. Beecher says he was at the first fire he witnessed, when a bucket of cold water was poured down his back—"the fire was not put out, but he was." The fact is, the higher the colored man rises in the scale of society, the less prejudice does he meet.

The writer has met and mingled freely with the leading great men of his time,—at home and abroad, in public halls and private houses, on the platform and at the fireside,—and can remember no instance when among such men has he been made to feel himself an object of aversion. Men who are really great are too great to be small. This was gloriously true of the late Abraham Lincoln, William H. Seward, Salmon P. Chase, Henry Wilson, John P. Hale, Lewis Tappan, Edmund Quincy, Joshua R. Giddings, Gerrit Smith, and Charles Sumner, and many others among the dead. Good taste will not permit me now to speak of the living, except to say that the number of those who rise superior to prejudice is great and increasing. Let those who wish to see what is to be the future of America, as relates to races and race relations, attend, as I have attended, during the administration of President Hayes, the grand diplomatic receptions at the executive mansion, and see there, as I have seen, in its splendid east room the wealth, culture, refinement, and beauty of the nation assembled, and with it the eminent representatives of other nations,—the swarthy Turk with his "fez," the Englishman shining with gold, the German, the Frenchman, the Spaniard, the Japanese, the Chinaman, the Caucasian, the Mongolian, the Sandwich Islander, and the negro,—all moving about freely, each respecting the rights and dignity of the other, and neither receiving nor giving offense.

"Then let us pray that come it may,
As come it will for a' that,
That sense and worth, o'er a' the earth,
May bear the gree, and a' that;

"That man to man, the world o'er,
Shall brothers be, for a' that."

FREDERICK DOUGLASS.

THE RUINS OF CENTRAL AMERICA.

PART VIII.

As the work of clearing the palace goes on, we are continually meeting with new surprises. I have Stephens's plan before me, and find that it is altogether incorrect. Stephens had neither the time nor the force of laborers requisite for clearing the edifice, and Catherwood's sketches are correspondingly imperfect. Hence, the inexactness of his restorations. The Palace of Palenque, as it really is, will be reproduced in my plans and photographs.

I have completed my work at the Temple of Inscriptions, having made a cast of the last of the tablets. These casts represent upward of 236 square feet of most interesting bass-reliefs. I have also taken casts of bass-reliefs measuring 65 square feet in the so-called Temple of War. In the meantime, my Indian laborers continued the work of clearing the palace—or rather the several structures constituting the palace—of rubbish, and found in the principal court a front-face in high relief and of natural size. Hitherto, only profiles have been found at Palenque. This specimen probably belonged to the frieze of the interior façade of the palace, at the foot of which it was found; it gives proof of a quite unexpected wealth of decoration. I have, furthermore, photographed the lower half of the figure of a man, in high relief, natural size, to be seen in the frieze of the second building. The head is specially interesting, because it differs essentially from the profile heads carved on tablets in the palace, or seen in the friezes of the several buildings: the forehead is far less receding. The face is modeled in cement, or rather in almost pure lime; unfortunately, the Indian that discovered it drove his pick into one of the eyes.

A party of laborers employed by the Mexican Government, under the direction of Señor Rodriguez, an engineer, are making openings in different directions through the woods here, and are finding new buildings from day to day. But these buildings are identical in type with those already known and described. Some of the remains of sculptures, found by Rodriguez's men, I will describe later, when I shall have completed my photographs and casts.

While examining all the bass-reliefs on the columns of the palace and of the temples, I have found one in almost perfect condition that appears to have escaped the notice of Stephens; he does not reproduce one so perfect as this.

Following the lead of Stephens, I have searched for those superposed layers of plaster bearing inscriptions of which he writes, and have found such superposed layers in even greater numbers than he had led me to expect. I have counted as many as fifteen or twenty layers, one overlying another, and of different colors; for in this climate houses and monuments must be repeatedly coated with lime or paint, else they will become black. Still we cannot deduce from these coats of paint, however numerous they may be, any indication as to the age of the buildings, unless we can show that the ancient inhabitants were accustomed to whiten the walls of their palaces and temples at stated intervals, as every five, every ten, or every twenty years. The inscriptions, could we read them, would, perhaps, throw light on this matter. At all events, I will take away a specimen of the plaster with its several layers.

On January 16th, I made a discovery of considerable importance from its bearings on the question of the antiquity of these ruins. We are wont to estimate the age of a tree by the number of concentric rings exhibited by a cross-section of its trunk, and on this basis has been erected a theory to prove the very high antiquity of these Palenque ruins. Waldeck mentions giant trees growing out of the roofs of the temples, and which, according to him, must have stood fifteen hundred, two thousand, or even three thousand years. Señor Larrainzar shares the same opinion: he visited these ruins, and speaks of a mahogany trunk which showed seventeen hundred concentric rings. Now there are some trees of great size on the pyramids, rather than on the temples and palaces, but they are of the family *Ceiba*, which are of very rapid growth, so that the largest of them, measuring

from 80 inches to 118 inches in diameter, are not more than one hundred to one hundred and fifty years old. Señor Larrainzar, who, like his predecessors, was biased in favor of a remote antiquity for Palenque, inferred that, inasmuch as a tree was seventeen hundred years old, the ruins were not less than two thousand years. It was logical enough.

But Stephens upset this theory on finding trees from twenty-three to twenty-seven years old, and which, nevertheless, were from fifty-nine inches to ninety-three inches in diameter. The fact I am about to state affords a still more complete refutation of the theory.

Having cut down a sapling about an inch in diameter, I was very much surprised to observe in the cross-section a very great number of concentric rings: of these, I counted forty. Now, in this climate, this sapling, which is very heavy, and which appears to be of hard wood, cannot be more than eighteen months old. The inference would appear to be that in a region where there is no winter, and where, owing to the heat and moisture of the climate, Nature never rests, a concentric ring might be formed each month, each moon, or even oftener. I have laid aside two pieces of this sapling, to be submitted to the inspection of specialists. To-morrow I will cut down a number of saplings of different kinds, to satisfy myself that the fact I have observed is not anomalous.

January 17th.—We are still without laborers. This morning I cut down several young trees, from one to four inches in diameter, and found in all the same conditions I noted yesterday. I counted seventy concentric rings in one that was 1.77 inches in diameter, and upward of three hundred in a branch of a tree not over twenty years old. Hence, this "conclusive" evidence of the antiquity of the buildings at Palenque proves nothing. The observation I have made will probably be of great interest to naturalists. While waiting for a new force of laborers, I have again gone over the palace, and have discovered other inaccuracies in Stephens, which I will point out later.

I have studied the different pieces of ornamentation, some of which is very rich, as will appear from the sketches I send. The taste is thoroughly *rococo*, nor would it be disowned by the age of Louis XV. It is surprising that this exuberance should have made its appearance so early, for the taste for exaggerated ornamentation manifests itself only among nations that are effete and

in process of decay. As time went on this love of ornamentation grew steadily, till it reached its climax in Yucatan, the grave of the Toltecs. But so rapid is the march of events here that within the term of eleven centuries the Toltec nation passed through all those stages through which European nations have been passing for two thousand years or more.

We have found a very interesting fragment of a fallen cornice in the great court of the western palace. The outermost ornamentation of this piece of cornice is gone, yet the present surface is stamped with several hieroglyphics. Plainly either this people had an insane passion for inscribing their annals everywhere, or they must have employed old materials in the construction of their edifices, as did the builders of Babylon.

On the 18th of January, a force of fifteen laborers was sent to our assistance from the village of Palenque. I at once set them to work on the eastern façade of the palace, for hitherto that has been considered to be its front side. All previous writers have agreed in stating that a stair-way surrounded the edifice on every side; but when I was here in 1859, I photographed the eastern side, and showed that there a perpendicular wall took the place of the steps. The critics ridiculed me and my photograph—a very imperfect one, I must admit. But now that I am clearing away all the rubbish from this façade of the palace, I find this wall, and in a better state of preservation than I expected. It extends along the entire façade. It is more than probable that the main entrance was on the north side, notwithstanding the position of the interior stair-way.

I have made casts of bass-reliefs, measuring in all eight hundred and sixty-one square feet. On the completion of this part of my labors, I made an excursion to the north of the palace, along a path cleared by our workmen. At the little rivulet I found a bridge in fair condition. As soon as the weather permits I will make a photograph of this interesting monument. In another excursion through the woods to the north-east of the palace, I everywhere found ruins and remains of buildings, all standing on pyramids. The number of these structures is enormous. Most of them present the same architectural arrangements we have found everywhere throughout Mexico, but generally they are smaller, their walls less thick, the arches of less elevation, and the compartments are all of small size. On this occasion I discovered two other bridges, one of

them a work of considerable magnitude. It is 32 feet wide and 32 feet in length. In all of these bridges we find the Toltec arch, produced by the gradual approximation to each other, from either side, of horizontal slabs of stone. It is probable that at the time when the ruins were inhabited and the country cultivated and cleared of timber, the rain-fall was less than it is to-day. Certainly the width of its arch is now insufficient for the body of water in the rivulet during the rainy season.

Still continuing our researches in the woods to the north of the palace, we found several other bridges and viaducts, one of the latter about 340 feet in length. The little rivulets were all canalized, as we see from the remains of the works found on every side, but now the streams are no longer confined within artificial barriers.

I have made a special study of the frieze of the palace overlooking the principal court, and I believe that I have collected sufficient data to give an idea of what it must have been in its best estate. Above the cornice is a frieze some seven and a half feet in depth, adorned with large figures, of one of which fortunately one-half remains, and from this we can, in some measure, infer the character of the others. The central door-way was surmounted by a still larger and monstrous figure, which reminds me of a similar figure that adorns a pyramid at Izamal. Each of the figures in the frieze was flanked by human figures in all sorts of postures, and along the top was a line of beautiful designs.

The stair-way of the palace was certainly on the north side. It must have been not less than 65 feet wide, but only faint traces of it now remain.

We have made excursions into the woods in every direction, discovering ruins everywhere, but these ruins are all of the same general class—temples and palaces. Nowhere have we found a structure which could pass for a dwelling. This is very singular, and it contradicts all experience. Here was a people apparently without any form of civil architecture.

Everything that I see here confirms me in the belief that Palenque was a *holy place*, a religious center, a city of pilgrimage, filled with temples and oratories. Thus only can we explain the fact that the historians of the conquest are silent about it. Had it been a great center of population it would undoubtedly

have figured in the annals of that time. Its vast floating population was scattered by the first muttering of the coming storm.

This place differs in many very important respects from all the Toltec or Yucatecan cities. In them we see other edifices besides temples and palaces; they possess public monuments such as are not to be found at Palenque—monuments on the walls of which are inscribed the acts of rulers, the exploits of warriors. In those other cities we find numerous roads, connecting the buildings with one another. Here we see nothing of this kind, and each structure seems isolated upon the elevation which it surmounts.

The belief that the purpose of these edifices was essentially a religious one, and that Palenque was a center of religion, gains confirmation from the character of the bass-reliefs. These present always the self-same action, namely, a man standing, and holding in his hand a scepter from which is emitted a flame, typifying speech—*preaching*. The kneeling personages accompanying this principal figure are neither slaves nor conquered enemies. I have studied them closely, and I am convinced that they are worshipers. Not one of the standing figures bears a weapon of any kind—no lance, no arrow, no sword.

One very curious fact I have discovered touching the method in which the artists worked. They first designed the figure of the personage, and *then put on the clothes*. Every piece of apparel, every article of ornament, was molded and laid on separately, as I have ascertained by breaking off certain portions of the vesture. In every case I found the body underneath carefully modeled.

In my wanderings through the forest I have found sundry edifices, which, for one reason or another, I have classed as tombs, places of sepulture, and, on superficial examination, have found human remains, vases, trinkets, etc. One of these groups of buildings I have examined more thoroughly than the others, and with the following results: Like all the other buildings of the same class, it is a very badly dilapidated ruin; but, entering with difficulty through a narrow opening, I found myself in one of a number of small chambers, filled almost to the ceiling with loose earth. For what purpose were they so filled? I set five men digging, and after a while we found a funeral-urn broken in pieces. The first chamber was cleared of earth, but the only

result was fragments of idols and a piece of bone. The broken urn was, in its form, absolutely identical with the urns found at Teotihuacan. One of the designs upon its side is an exact copy of a design found on a Toltec vase at Amecameca.

To determine the general plan of the city of Palenque would require the labor of five hundred men for six months, under the direction of a corps of topographers. Still I have, from my own researches, gathered data sufficient to give a more or less adequate idea of what the place was at its best. The city extended from north to south about one mile and a quarter, and about one mile and three quarters from east to west. In some localities, as in the region to the south of the palace, there stood groups of buildings of considerable size, and rather close to each other; in other quarters the buildings are far apart. The intervening spaces must have been occupied by the huts of the lower classes of the population. On the 10th of February we left the ruins of Palenque.

DÉSIRÉ CHARNAY.

VACCINATION.

SIMPLICITY is a characteristic of some of the grandest of discoveries, and of the most important utilizations of natural laws in behalf of the interests of human life. How simple seems the recognition of the law of gravitation and the extension of this law to the planetary system! The applications of the expansive force of steam in mechanics appear to-day as simple as those of water-power. At the present time, telegraphy is not more wonderful than were the phenomena of electro-galvanism half a century ago. This train of reflection arises in thinking of the discovery of vaccination. If saving human lives be a criterion of the beneficent fruits of a discovery, there is none in the history of mankind which will bear any comparison with that of vaccination. Prior to the promulgation of this discovery in 1798, small-pox was correctly called one of the greatest scourges of mankind. A late writer cites the following statistics in illustration of the fatality caused by this disease: "In England, in the seventeenth and eighteenth centuries, seven to nine per cent. of all deaths were attributable to small-pox. In Berlin, from 1783 to 1797, one-twelfth of the total mortality was due to the same. Junker computes the deaths occurring from small-pox in the year 1796, among the seven million inhabitants of Prussia, at twenty-six thousand six hundred and forty-six. In the eighteenth century, thirty thousand died annually of small-pox in France." It was a proverb at that time: "From small-pox and love but few remain free."

A vast diminution of the mortality from small-pox resulted from the discovery of vaccination. Sir James Simpson, writing in 1849, states that "during the latter half of the last century, thirty thousand individuals were computed to die annually of small-pox in England." Dr. Gregory estimated the number at

about forty-five thousand. Dr. Haygarth calculated the proportion of deaths from this disease to amount annually to thirty-eight thousand in eight millions of inhabitants. In contrast with these statistics, according to Simpson, "From the official returns of the Registrar-General, it appears that at the present time (1849) the number that perish annually of this same disease is reduced to less than ten thousand." Quoting further from this author: "In England alone, therefore, the absolute mortality from small-pox is less by twenty thousand a year than it was half a century ago. If a similar rate of reduction in the number of deaths from small-pox holds good—as we have every reason to believe is the case—in the other kingdoms of Europe, then, out of the two hundred and twenty millions of people that inhabit this quarter of the globe, four hundred thousand or five hundred thousand fewer die now of small-pox than, with a similar population, would have died from this malady fifty years ago." The author adds that, according to this rate of computation, "there are preserved in Europe during a single half-century a number of lives greater in amount than the whole existing population of Great Britain." "During the long European wars connected with and following the French revolution, it has been calculated that five or six millions of human lives were lost. In Europe, vaccination has already (1849) preserved from death a greater number of human beings than were sacrificed during these wars." It is not necessary further to adduce facts to substantiate the statement that, of all past discoveries, vaccination is beyond the reach of comparison when its effect upon the mortality from one of the most loathsome of diseases is considered; nor is it necessary, in connection with the beneficent effect of this discovery, to refer to an exemption from the permanent imprint of the disease on those whom it does not kill.

Looking back upon the discovery of vaccination, it has the appearance of a very simple affair. Edward Jenner, apprenticed to a surgeon in Gloucestershire, heard a young country-woman remark to his master that she could not take the small-pox, for she had had cow-pox. He was then a youth. At the age of twenty-one he went to London, and for two years he was the pupil of John Hunter, and a member of his household. Under the superintendence of that great man Jenner became, in the language of one of his biographers, "an expert anatomist, a sound pathologist, a careful experimenter, and a good natu-

ralist." Returning to his native town as a surgical practitioner, the casual remark of the country-woman years before led him to inquire into the grounds for her statement. The expectation of scientific results, doubtless, often precedes their development. It appears to have been so in this instance, for he mentioned, in a letter to Hunter, his supposition that cow-pox, communicated to man by inoculation, might be preventive of small-pox, and got, in reply, these pithy words: "Don't think, but try." Jenner tried. Mark how simple the procedure in what has been called "a masterpiece of medical induction." He had but to ascertain that, in a certain number of instances, they who had contracted —by milking—a local affection from the udder of the cow, were insusceptible to the contagious miasm of small-pox; that the particular affection in the cow which gave this protection was indicated by a characteristic vesicle; that by inoculation with the liquid contents of this vesicle the affection was produced in man; and, finally, that they to whom cow-pox had been thus communicated were rendered thereby incapable of having small-pox by inoculation with the virus of that disease.

How natural and easy does it now seem to have ascertained these points! Yet it took Jenner twenty years to accumulate data sufficient for him to venture upon the publication of his discovery! Jenner's modesty is shown by the title of his publication, namely: "An Inquiry into the Causes and Effects of the Variolæ Vaccinæ: a Disease Discovered in some of the Western Counties of England, particularly Gloucestershire, and known by the Name of Cow-pox." It is noteworthy that this publication, embracing the facts on which his discovery was based, consisted of only about ten thousand words.

Vaccination for a time encountered intense prejudice and virulent opposition. Jenner, who went to London after the publication of his discovery, was unable for three months to find any person on whom he could exhibit to his medical brethren the vaccine disease. Some eminent physicians protested against it. The reigning king, George the Third, was supplicated to suppress the practice after it had made some headway. An anti-vaccination society was formed, and an appeal made to the public to second "efforts in supporting the cause of humanity against cow-pox injuries." Alleged deaths from cow-pox were published in the mortality bills of London. Society was warned against the danger of introducing "beastly diseases," which were likely

to be transmitted to posterity for ages. It was asserted that the mental character would be imbruted, and instances were related of persons, after vaccination, "coughing like cows" and "bellowing like bulls." Theological objections were raised. It was argued that "small-pox is a visitation from God, but the cow-pox is produced by presumptuous, impious men; the former Heaven ordained, but the latter is a daring and profane violation of our holy religion." The practice was stigmatized as "a gross violation of religion, morality, law, and humanity." Instances occurred in which persons who had submitted to vaccination were mobbed. Its introduction into this country was attended with similar difficulties. The writer of this article believes that his father, Dr. Joseph Henshaw Flint, then a medical student, was the first person vaccinated on this side of the Atlantic; and, to avoid trouble, the vaccination was performed with great secrecy by Dr. Waterhouse, who procured the virus from Jenner.

This early prejudice and opposition did not long continue, but, strange to say, within late years, some of the objections which had become obsolete have been revived. Conceited ignoramuses have called in question the beneficence of vaccination; and efforts have been made to excite not only distrust of its efficacy as a measure of protection against small-pox, but a feeling of hostility toward it. Compulsory vaccination has been resisted as an invasion of natural rights. A spirit of antagonism is not confined wholly to the ignorant. For the most part, however, they who, as it would seem, should know better, belong to the credulous class who believe that views conflicting with those held by the medical faculty express new truths which the latter, from professional bias or jealousy, refuse to acknowledge. If I mistake not, modern opponents of vaccination who give any thought to the subject are chiefly among those who suppose that the minds of medical men are held in a kind of bondage to traditional doctrines and authoritative opinions, which constitute an insurmountable barrier against a liberal and untrammeled exercise of judgment. There are persons, and their number is not small, who are ready to adopt, without either opportunity or desire for investigation, heterodox principles in medicine for the reason that they are so, assuming that they who make it the business of their lives to endeavor to ascertain the truth in this department of knowledge are the least likely to find it. It would be easy to show that this is not an exaggerated statement.

What has the experience of the eighty years which have elapsed since Jenner's discovery taught, respecting vaccination? This question may be answered fairly in a few words.

Jenner evidently thought that a single successful vaccination would prove as permanently and completely protective against small-pox as variolation or an inoculation with the virus of the latter disease. Experience has taught otherwise. Vaccination has not always proved completely preventive, and the protection which may be complete for a time eventually diminishes. It seems to have been established that the protective efficacy of cow-pox has decreased since the time of Jenner, and it is a logical inference that the decrease is due to its transmission from subject to subject for a series of years; in other words, the so-called long-humanized vaccine virus has deteriorated. These facts Jenner could not have foreseen. Had he been able to foresee, he would probably have been less sanguine than he was in the expectation that small-pox might be driven out of existence by vaccination. It is true that when vaccination fails as a preventive measure, it modifies small-pox so as to render it almost harmless as regards both danger to life and the visible marks of the disease. But these advantages are in a measure neutralized by the fact that the contagion from cases modified by vaccination, or, as it is called, varioloid, is as capable of producing the disease in a severe form as that derived from the severest cases of small-pox; and, moreover, the dissemination of the disease is sometimes promoted by mild cases of varioloid which are overlooked, or mistaken for another disease, namely, varicella.

Experience, however, teaches the way to overcome the difficulties just mentioned, in the first place by means of revaccinations. The existence of a susceptibility to the contagion of small-pox is easily tested by revaccination, and, if the susceptibility exist, it is thereby for a certain period extinguished. The average length of time during which exemption from the disease is secured by a single vaccination is not yet determined. The period undoubtedly varies in different persons within wide limits. In order to render security as complete as possible, the intervals between revaccinations should not be too long. Too frequent revaccinations are not objectionable. It is a safe rule not to allow a longer interval than five years.

In the second place, there is reason to believe that the substitution of the so-called animal or bovine virus, for the long-

humanized virus, will afford, for a time at least, security against deterioration. It is but lately that the importance of a renewal of the virus from the cow has been considered. That the bovine virus is more effective than the long-humanized virus is certain. It remains to be ascertained by the experience of future years whether its preventive efficacy is more persistent, and whether the transmission from animal to animal will, in the course of time, lead to its deterioration.

The use of the bovine virus has the recommendation of obviating the objection to vaccination on the ground of a liability to the communication of human diseases. The risk is small, but it is unequivocal. There is no foundation for the popular notion that there is danger from virus taken from subjects with feeble constitutions, and still less for the idea entertained by some that mental qualities may be communicated; but it is certain that vaccination has been a means of contracting a specific disease other than cow-pox. It is a natural suspicion that diseases occurring coincidently with, or subsequent to, vaccinia, are attributable to the latter, but, as a rule, the connection is purely accidental. All occasion for apprehension on the score of acquiring human diseases is obviated if the virus be taken from the heifer; and this is a source of much relief to the physician, as well as to his patients. Unwarrantable suspicions of impurity in vaccine virus have often been the cause of injustice toward medical men. Our country owes a debt of gratitude to Dr. Henry A. Martin for the importation, in 1870, of virus from a case of spontaneous cow-pox, discovered in Beaugency, France, in 1866, and perpetuated through successive inoculations in heifers, under the sanction of the French Academy of Medicine, and with the aid of the French Government. The virus from this stock has been distributed throughout our country, and is now generally used instead of the humanized virus.

Will small-pox ever be blotted out of the list of existing diseases? We can imagine the supreme happiness with which Jenner entertained this expectation. Contrast his feelings with the exultation of a world-conqueror! The fulfillment of Jenner's expectation is among the possibilities. It can be fulfilled only by extending to the whole human race the security to be afforded by vaccination and revaccinations. This cannot be done except by the diffusion of knowledge of the subject, and by Governmental power. Vaccination and revaccinations must be made every-

where compulsory. If they who resist their enforcement were alone the victims of the disease, society could afford to let them die "as the fool dieth." The question is whether society shall suffer on account of their folly. The right of society to protect itself in this matter is as clear as that of placing under restraint a homicidal maniac.

Meanwhile, cases of small-pox must be effectually isolated, and thorough measures of disinfection employed, under the direction of intelligent health-officers clothed with authority sufficient to enforce their regulations. The disease may in this way be "stamped out" whenever and wherever it makes its appearance.

The practicability of stamping out small-pox was demonstrated a few years since in New York. In the winter and spring of 1877, the disease prevailed largely in that city. Efficient measures for vaccination, revaccination, the isolation of cases, and disinfection were pursued under the direction of the Health Board. The result was that from June, 1877, until April, 1879, not a single case occurred. During this period, a few cases escaped quarantine and were introduced into the city, but without communication of the disease to others. This result, and the brilliant achievement of stamping out epidemic cholera in 1866 and 1867, show what may be accomplished by sanitary science in the hands of those who, in addition to scientific qualifications, possess executive ability, together with adequate means and legal authority for carrying out efficiently preventive measures. The public will by and by come to an appreciation of how much of life and of property is to be saved by proper laws and organizations for the protection of public health. The glory of having triumphed over an invisible and deadly foe in the form of an epidemic disease is less conspicuous, but vastly more real, than that of the successful warrior. All honor to the past and present members of the New York Metropolitan Board of Health for their able and valuable services, which have been rendered without much approbation or encouragement from those for whom they have labored!

AUSTIN FLINT.

THE RIGHT TO REGULATE RAILWAY CHARGES.

A VAGUE notion prevails, even among educated men, that a corporation is in some sort an instrumentality of the Government, and is by its very nature possessed of certain undefined attributes of sovereignty, by virtue of which it has immunities, and may do many acts entirely beyond the reach of an individual. Every day we see railroads commit wrongs that the private citizen would not dare attempt, while the officers of the law, dazzled by the stupendous proportions of the property and labor wielded by these corporations, perform their duty with the cringing servility of a constable who serves a writ upon his king. It is within bounds to say that our modern railroad president, operating three thousand miles of track and working twenty thousand men, all in uniform, labors under the mischievous hallucination that he is part and parcel of the Government, and represents in his person no inconsiderable part of the sovereignty of the State. We propose to correct this pernicious mistake. A simple illustration will remove a wide-spread misapprehension: Suppose that two companies are formed to build a hotel; twenty men associated as a partnership, and twenty other men associated as a corporation,—what is the difference between the powers of the two? It is imperatively necessary to dispel the wild notions prevalent among laymen, and to popularize an accurate conception of what is imported by this term.

Corporate association is simply an improvement upon, and a substitute for, partnership. A corporation is "a body consisting of one or more natural persons, established by law, and continued by a succession of members." The charter is simply a statute, which invests a person with certain six powers called "the corporate faculties"—namely, the power to act by a corpo-

rate name, to have succession, a common seal, etc. As the ancient contentions between the Crown and certain English cities inculcated many principles respecting the immunities and powers of governmental corporations, which principles are entirely foreign to this discussion, it will relieve the confusion to discriminate between public and private corporations. A public corporation *is* an instrumentality of the Government, as a city or town, and every corporation which is not public is private, as lyceums, factories, railroads, etc. It is unnecessary to examine the powers and immunities of a public corporation, because we are only concerned with private bodies, such as lyceum companies, railroad companies, etc.

As soon as we attain a clear-cut idea of what is imputed by the term corporation; as soon as we comprehend that it means simply a body endowed with certain six faculties, not possessed by a natural person, and with these faculties only; as soon as we understand that the mere possession of these six powers constitutes that legal entity called "a corporation," then we are prepared to recognize the bearing and full force of the proposition that if a railroad company has any other immunity or power not possessed by a lyceum, such other immunity or power is due solely to the fact that the legislature has given to it some particular right which is in addition to the corporate faculties. Hence, these private corporations, such as lyceums and factories, which have only the six faculties, are easily separated from those other private corporations, such as bridges, railroads, and ferries, which have the faculties and also certain additional powers. The charter of a company of the first class contains a single clause—a grant of the six faculties; the charter of a company of the second class consists of two distinct parts: (1) a grant of the faculties—namely, a clause creating the corporation; and (2) a clause giving the body so created power to do certain specified acts, which cannot be lawfully done without legislative authority.

It is familiar knowledge that there are many things that the private citizen may not do. He cannot obstruct the highway of a river or blockade a street; but the Government may, and, in fact, often does, give to an individual a right to do one or the other of these acts. Suppose the legislature authorizes a bridge from Washington city to the Virginia shore; as ships could not pass, the Georgetown wharf-owner would be ruined, and ruined

without redress, because the bridge-builder only exercises a power conferred by the Government.* Now, observe the difference between the powers of this bridge-builder and the powers of his neighbor: the latter is not possessed of this right to obstruct the highway. It is obvious that a grant of the common corporate faculties would not authorize this bridge, and it is also obvious that the legislature will give such a right as this as freely to an individual as to a corporation; hence, to simplify the discussion, we observe that an inquiry into the right of the sovereign to regulate railroad charges does not involve a consideration of the corporate faculties, but that the same issue exactly would be presented if the prerogative rights which have been given to railroads had been given to an individual instead of to a corporation; in other words, as regards the question before us, the railroad occupies precisely the status of an individual to whom the Government has given a power to exercise certain of the prerogative rights.

In order, therefore, to determine the powers and immunities of a railroad, we must ascertain the nature, character, and extent of the several prerogative rights with which they are invested; and this requires us to develop a distinction between public and individual property. There is a palpable difference between the property of the Government and the property of the citizen. There are many items of property which belong to the Government—to the people at large, as distinguished from that owned by individuals. We may enumerate, as examples, the right to obstruct a highway—the bed of a navigable river; the right to take private property for the use of the community. The right to take toll is a very valuable and a very common item of public property. And some of these items are of great value. The right to obstruct Broadway with a railroad will sell for more money than any ten thousand acres of land in the valley of Virginia.

This distinction between public and individual property must not be confounded with the difference between ownership by the Government and ownership by a citizen. A horse which belongs to the state is spoken of as public property, and when owned by

* The wharf is valuable only because the owner, confiding in the wisdom and integrity of the legislature, does not believe it will exercise its discretion unwisely or capriciously—does not believe it will authorize the highway to be obstructed.

a citizen, as private property; but it always belongs to the class designated as individual property. So a franchise may become private,—viz., may be owned by a citizen,—but it belongs, none the less, to the class called public property.

It is easy to define with strict accuracy the nature, character, and extent of each one of these several items of public property, because the limits of either of them may be marked out with as much precision as the boundaries of a farm. For example: if we analyze that estate in the Government called the right to obstruct a highway, we readily perceive a very characteristic boundary, or limitation—namely, such a right must be so exercised as will, in the judgment of the sovereign, best attain the objects for which the highway was created; viz., the right is, and must ever remain, subject to be regulated, as to its use, by the sovereign. This continuing governmental control, which, like a division-fence between neighbors, separates public from individual property, is the essential principle of the estate. If it be taken away, the very nature of the estate is changed, and a new and a different estate will be created, which will be a prodigy entirely unknown to our scheme of civil polity.

If we fairly comprehend the nature and extent of this item of public property while it is in the hands of the Government, then we readily understand that its nature and extent are not altered, in the slightest particular, by the circumstance that it has been given to an individual, precisely as the boundaries of the farm remain the same after a sale.

We shall not enumerate the several items of public property; it is sufficient to remark that if a right cannot be legally exercised by a citizen unless and until he first obtains a gift of such right from the Government, and if, after such gift, the right continues subject to the supervision and regulation of the sovereign, then it belongs to the class under consideration.

Waiving an examination of that judicial reasoning which has departed from correct principle and which seems to establish certain conclusions different from the results of this paper, we may remark that many decisions, in apparent conflict with the views here advanced, rest upon a distinction between the acts of the Government as a corporation and its acts as a sovereign.* When the Government buys a horse or makes a contract, it acts

* U. S. *v.* Maurice, 2 Brock., 2 Greenleaf's Cruise, 67.

simply as a corporation; but when it changes the law, or regulates the use of an item of public property which is in the hands of a citizen, it acts as a sovereign. If this dual existence of the Government be fairly comprehended, if its functions in the one capacity be properly distinguished from its functions in the other, we shall not be embarrassed by the proposition that the state, acting as a corporation, may stipulate in regard to its future conduct. In fact, if the subject matter of the stipulation be an item of individual property, the questions which arise are entirely foreign to the present discussion.

We come, then, to inquire which items of public property have been given to railroads, and it is sufficient for our purpose to observe only two of them: (1) the eminent domain and (2) the right to take toll. These estates are entirely distinct and have very different metes and bounds; they have only two characteristics in common: neither can be exercised by a citizen without a special and express grant from the Government, and they are both under the continuing control of the sovereign.

In respect to the eminent domain, it is sufficient to remark that a railroad cannot possibly claim under this franchise any other power than simply a right to acquire *for the use of the community*, against the will of the owner, such private property as is demanded by the public convenience. But let it be always remembered, as a fundamental canon, that not even the sovereign himself can take private property for private use.

This discussion, then, must turn upon an analysis of that ancient and well-known item of public property called the franchise of charging toll—namely, the right to exact a price for the use of property which belongs to the community.

The vulgar mistake is to suppose that a railroad may regulate its charges upon those "business principles" practiced by a citizen in the conduct of his personal affairs. These corporations, of late years, proceed on the radically false assumption that, in exercising this franchise, they are dealing with an item of individual property which is to be managed with an eye single to the pecuniary advancement of the stockholders; whereas, in fact, the road must be conducted and the charges regulated in such a manner as will, in the judgment of the sovereign, best promote the purposes for which it was created—to furnish a convenient means of transportation. The emolument of the corporation must be subordinated to this consideration. The

modern railroad rule is to make the freight as high as the traffic will bear; the legal rule is to make the toll reasonable. It would seem that the railroad officials have an idea that they have purchased from the sovereign a right to distress, oppress—to ruin the community—if, in their judgment, such distress and ruin will enrich the corporation, and that the price paid for this most stupendous right was their obligation to furnish a new (private) road. But this view is based upon two theories, both fundamentally wrong: (1) That the money paid by a customer is a remuneration for the use of private property (whereas it is strictly and emphatically a toll), and (2) that the amount of their charge is to be fixed by stipulation between the corporation and its customer, as individuals bargain about the price of private property. The fallacy of these theories is apparent. It will be carefully remembered that, as regards the matter under discussion, the company stands upon precisely the same footing as an individual common carrier, to whom the Government has given the two franchises of charging toll and eminent domain.

But, to separate each step of this analysis, we observe that a railroad corporation acts in a double capacity. The term railroad involves and presents to the mind two very different things—it is both a highway and a common carrier. A vast deal of confusion has arisen from overlooking this double function of a railroad. As a road, it is subject to the same principles of law as a street or river, and its functions as a highway must be distinguished from its obligations as a carrier. No embarrassment arises from the fact that the same thing is both road and carrier. A turnpike company may run a stage-coach, and we may imagine a turnpike which is not used except by vehicles owned by the company, and in such case the coach and the road taken together would constitute the highway.* It is this uniting in one thing (person?) two distinct functions that makes up the railroad. For, be it observed, the first scheme was that one company would furnish the road and another the cars.

Now, long before the invention of railroads, the principles of law applicable to carriers, and to highways, and to the franchise of charging toll, were firmly settled and well understood. Not

* An inventor proposes to substitute for pavements "the moving sidewalk." A platform, attached to an endless chain, is to extend the length of a square and be kept in constant motion. This contrivance is both highway and carrier.

only so, but these principles had been frequently applied to canals, bridges, ferries, turnpikes, etc. And we say that it is absolutely impossible to distinguish between those principles and the rules of law which should be applied to railroads. The application is new, but the principles are the same, and the effect of those principles must be the same on railroads that it was on canals, bridges, etc.

A common carrier — viz., a person who prosecutes the business of transportation — is bound to carry, for a reasonable price, every one who offers. He has no more right than his customer to decide what is reasonable, because, if he may make his charge unreasonable, the effect is the same as to give him a right to refuse to carry. The law is, that the carrier shall name his price at his peril; if unreasonable, the customer is entitled to damages precisely as if he captiously refused to carry.* Whether a charge be reasonable is emphatically a judicial question; but, as it is competent for the legislature to furnish to the courts rules of evidence, statutes prescribing the maximum charges for common carriers are regarded simply as a legislative declaration of the amount to be considered as reasonable; namely, the schedule of rates is a mere rule of evidence, and, as a matter of course, subject to the future discretion of the sovereign,† but obligatory upon the courts as a rule of evidence. It is evident that such legislation does not make a contract between the carrier and state that the tariff shall not be changed.

Toll is a charge exacted for the use of property which belongs to the community. A road-bed acquired (taken from its owner) by an exercise of eminent domain belongs to the community. A street which has been dedicated is owned by the public, and every one has precisely the same right to use it that he has to travel, in his own boat, upon a navigable river. We are not perplexed about our right to travel the river, because it was never the subject of private ownership; and yet, after the dedication, as respects the ownership of the community, there is no difference between the river and the street. When he has made a dedication, the original owner has no more interest in the street than a stranger to the title; and this is so, although he acquired the land

* See subject discussed by Green, J. Brown *v.* Adams, 15 West Virginia.

† Such statutes are frequent. Bac. Abr. Carriers, D. Munn *v.* Illinois, 4 Otto.

by a large expenditure of private capital. Every one understands that he cannot erect a toll-gate on a highway without legislative authority, and yet the Government often grants the right to exact toll on a public road. Now, although it is sometimes difficult to determine whether there has been a dedication, yet, in the case of the railroad, there can be no controversy; every fact necessary to establish the dedication is admitted; the single circumstance that the land was acquired by eminent domain is, of itself, conclusive. Hence we have this question: If the legislature grants the right to erect a gate across the Hudson River and take toll from all who pass, and the grantee, at his private expense, erect such gate, whether the schedule of rates mentioned in the statute may be modified by subsequent legislation? It must be remembered such a statute would consist of two clauses: (1) the gift of the franchise and (2) a legislative declaration of the amount of toll to be considered reasonable. Concentrating, then, our attention on this second clause, the discussion is narrowed. The purpose of the clause being to protect the community against excessive tolls, different forms of expression have been employed, and the question is presented whether, in respect to the right of the sovereign to alter the rates at the (supposed) gate across the Hudson, there is a difference between the legal effect of these several forms of expression: "The tolls shall be reasonable";* "The tolls shall not exceed such rates as may be prescribed by the county court"; "The tolls shall not exceed ten cents for a man and five cents for a horse." This question must be answered with reference to the gate on the river; and, if the change of expression does not alter the legal effect,—if the same legislative intent is exhibited in each instance,—then we present the question whether the language, "the tolls shall be reasonable," makes a contract between the state and the grantee that the rates, which happen to be reasonable to-day, shall never be modified?

This point has never been decided. In the present state of the decisions, it is perfectly consistent for the court to hold that the gift of the right to demand toll is a contract, but the schedule is a rule of evidence, and, being such, subject to the discretion of the Government, acting not as a corporation but as

* The language of a grant in 1318, Pim *v.* Curell, 6 Mee. and Wels.; and a similar grant in 1629, Juxton *v.* Thornhill, Cro. Chas. See old cases collected, Stamford *v.* Pawlett, 1 Cromp. and J.; Free Fishers *v.* Gann, 20 C. B. N. S.

a sovereign. Again, the question whether one legislature may tie the hands of another is not involved, because, having determined the limitations which hedge about the estate while held by the Government, we are bound to recognize the same limitations when it is given to a citizen. A controversy about the boundaries of a farm does not involve the question whether the ancestor may bind his heir by a warranty of title.

Then, to bring this inquiry home to the vital issue that now confronts the people of this country, has the sovereign the right (legal and moral) to regulate railroad charges? It is usual for the charter to declare: "It shall be lawful for said railroad company to erect toll-gates every ten miles, and to demand not exceeding ten cents per ton per mile for transporting commodities."* This inquiry must be conducted under the influence of the principle that "grants by the Government are to be construed strictly against the grantee and in ease of the public."† It must be conducted in the light of the historic fact that this power has always been freely exercised over the rates at bridges, ferries, turnpikes, etc., and it must also be conducted in full view of the fact that the same reason, law, and practical necessity apply to the charges of railroads as to those of a common carrier. But there is another consideration which, when the court comes to pass upon this question, will receive particular and special weight: though the grant of the franchise itself be a contract, yet when a railroad charter is construed by the general intent of that legislation which runs back "beyond memory," and by principles aptly called "the fundamentals of the common law," there is nothing of the essence of contract imported by the schedule of rates.

Having reached the conclusion that it is competent for the Government to control the charges of railroads, perhaps it may stimulate intelligent action to suggest, very briefly, the practical application of the views here advanced. The sooner our railroad managers learn to take a correct view of this subject, the better it will be for those interested in the securities of these corporations. As the amount of toll is within the discretion of the sovereign, the aim should be to make that discretion as wise,

* Petersburg R. R. Va. Acts 1830. B. & O. R. R. Va. Acts 1839.

† This maxim is as old as the common law. Charles R. Br. *v.* Warren Br. xi. Pet. & 7 Pick. Perrine *v.* Chespk. C. 9 How. Briggs *v.* Camden, 22 N. J. L.

as intelligent, and as enlightened as possible. The people of this country will never abandon the time-honored doctrine of the common law, that *toll must be reasonable*, and the true danger is that the legislature, not being properly advised, will err in the wrong direction, and, by making the rates unreasonably low, paralyze this important branch of industry. Railroads have far more to fear from honest ignorance than from that enlightened statesmanship which proceeds on the principle that corporate emolument is subordinate to the public welfare; they have far more to fear from demagogues than from statesmen. It is an error to suppose that the millions invested in these works were so invested upon the untenable and mischievous hypothesis that a foolish contract has subjected all the vast industries of this great country to the unrestrained and uncontrollable cupidity of irresponsible monopoly. On the contrary, capital, in this as in other cases, is trusted to the discretion of the sovereign; and unless that discretion is debauched, unless integrity and intelligence are excluded from the public service, the confidence will not be deceived. Hence, railroads should discontinue their efforts to mislead the public mind and to corrupt the ballot-box. The politicians whom they are now using do not deserve, and will never obtain, public confidence, because such men are not actuated by principle, or stimulated by the courage of conviction. But, acting on the theory that the public welfare is the first consideration, they should publish in good faith full and reliable information as to their earnings and expenses, to the end that the people may come to a right understanding of what tolls are reasonable and what are not. There is in this country an undercurrent of conservative reason which is brimful of honesty and good faith, and railroad men must learn to trust it.

J. M. Mason.

PREHISTORIC MAN IN AMERICA.

No subject in recent times has developed a larger or more active class of workers, or can lay claim to a more voluminous series of publications, than that pertaining to prehistoric man. Every nation working in science has added its contributors, and these contributors have generally been drawn from a class already trained in methods of scientific research.

So rapid has been the growth of the study of prehistoric man, that every student recalls its infancy, and its advance to a vigorous science. He remembers the dread experienced at the thought of impeaching the clearly defined record of Genesis, and he recalls with impatience how long it was before the evidence which had been gathering for a century could command a hearing. Collections had been slowly accumulating, though lying dormant and dusty on museum shelves, and their records, unpublished, suddenly came into notice, and with a prodigality of material and data in numberless hands, the elements were ready out of which rose the new science of archæology.

So fully imbued were men's minds with the idea of the recent and historical origin of the human race, that no possible interest could be excited in what purported to be the evidences of a pre-adamite people. In vain did archæologists offer their evidences of the high antiquity of man. Their discoveries were treated with incredulity, and their arguments rejected as worthless. A memoir read by Mr. Vivian before the Geological Society of London was considered too improbable for publication. The massive authority of Cuvier, who denied the possibility of man's existence anterior to those animals which live to-day, prevented the acceptance of Dr. Schmerling's remarkable discoveries in the Belgium caves.

Unquestioned acceptance of the Mosaic cosmogony has not only prevented the earlier development of this science, but it has caused the loss of a mass of evidence which can never be restored. Discoveries have been suppressed, false interpretations have been put upon others, valuable material has been ignored or lost, and in one way and another the study of man's early existence has been thwarted up to very recent years.

The sudden and wonderful growth of the study of man's high antiquity has been wholly due, not to the evidences,—for these had been despairingly thrust before the learned societies to be again and again rejected,—but to the rapid acceptance of those rational views which recognize man's origin from the animals below him.

Once it came to be fully believed that man was not only a mammal in the sense that systematists had recognized him to be, but a species of mammal among hundreds of other mammals, who, with them, had some common ancestry, and the study of archæology assumed the rank of an inductive science. A short time has seen the formation of imposing societies, many of them highly endowed; of magnificent museums, devoted exclusively to the preservation and exhibition of objects pertaining to this science; the publication of anthropological journals and transactions, and, above all, the production of a large number of popular illustrated works, which bring the science to the comprehension of the general reader.

It is quite necessary to understand all this to comprehend the amazing growth of a study which should have interested the race centuries ago. At the outset, the term prehistoric man was looked upon as applying to a people who lived before the dawn of recorded history—a people who lived, not in any hypothetical Eden, but, among other places, in the valleys of France and the caves of Belgium and England.

So limited was his area, and so apparently similar were all his rude characteristics, that for a time no further subdivision was necessary. A few years ago, comparatively speaking, his high antiquity and wide distribution over the face of the earth was not dreamed of. No account was taken of any possible geological changes having occurred since his appearance. It was enough to assert, with more or less positiveness, that his remains were synchronous with those of a few extinct species of mammals. That the contours of the land and ocean boundaries were

essentially the same for prehistoric man as for his historic descendants, could not for a moment be doubted. That during man's early reign the English Channel and Irish Sea had no existence, and an uninterrupted sweep of forest extended from the regions of Paris and London and across and beyond Ireland, far out to the present one-hundred-fathom line, no one dreamed of conceiving.

In the light of this knowledge, it is instructive to quote Dr. Wilson's words in his "Prehistoric Annals of Scotland." In reference to the Scottish aboriginal traces he says: "There is one certain point in this inquiry into primitive arts which the British antiquary possesses over all others, and from which he can start without fear of error. From our insular position it is unquestionable that the first colonist of the British Isles must have been able to construct some kind of a boat, and have possessed sufficient knowledge of navigation to steer his course through the open sea." Such were the positive and emphatic utterances of a writer who, in his recent valuable work on prehistoric man, in referring to this very passage confesses that this was no certain postulate after all, and who recognizes the profound geological changes which have taken place since paleolithic man first chipped the rude stone celts whose imperishable characters give us our only clue to his existence.

The hypothesis of geological changes of any magnitude being excluded, it was impossible at that time to grasp the true import of rude chipped flints deeply buried in river-gravel. Just as soon as the early remains could be looked upon as veritable fossils,—the name sounded so ancient,—to be studied in precisely the same way, and with the application of the same methods of reasoning as were brought to bear upon the remains of a paleotherium from the tertiary, or upon an ammonite from the Jura, then, and not till then, could his high antiquity be realized. And not until rude stone implements from the river-gravels and similar deposits were brought to light in France, Portugal, Germany, Brazil, India, New Jersey, and other widely separated countries, was the inconceivably long duration of man upon the earth acknowledged. The recognition of these evidences has been, and is at this time, hampered and retarded by a rigid and almost ridiculous scrutiny of every object bearing upon this subject. The study of other fossil mammals goes on unimpeded. Professors Marsh and Cope

collect their fossils and assign them to their proper geological horizons unchallenged save by the hostile Indian. The archæologist, on the contrary, has (for his best good it must be confessed) standing over him one set of critics, generally theological, who deny his facts, or call his evidences spurious. He is belabored by another set, generally theological also, who claim for man peculiarities which separate him from all considerations which would apply to other mammals below him. By another set still, who, ignoring the doctrine of probabilities, are ready to call every skull, or other remains showing quadrumanous features, abnormal or pathological. Thus, the ape-like skull of the Neanderthal cave was looked upon as a synostotic cranium. The extreme improbability that, in these frequently occurring and widely distributed cases, only idiotic or abnormal forms should come to light, never seems to trouble these critics.

While the general acceptance of the theory of man's origin from the lower animals has induced the present activity in archæological research, it is equally true that the study has contributed valuable evidence to the general correctness of Darwin's views.

The divisions of the tertiary, though artificial, are recognized by the varying percentages of the species of mollusks which are now extinct. If we are fortunate enough to get the remains of the very early man—not his works, but his bones—we shall, in the same way, estimate his degree of savagery and bestial features, and, possibly, his age, by the proportion of those characters which are not only outgrown by man at the present day, but which bring the widely diverging lines of man and the apes a little closer.

Now, as we have to do with the remains of man, not in the beds of the tertiary, where superposition is well established, but with his remains found in modified drift, river-gravels, and other rocks, whose age and synchronism are so difficult to establish, it would seem that here the trained osteologist must take up the investigation.

The recognized sequence of rude stone implements, polished implements, bronze, and iron, while holding good for limited areas, becomes of less value for larger fields when it is known that tribes with rude stone implements are existing to-day. A few hundred years ago the European combated with gunpowder the inhabitants of a vast continent who belonged to the neolithic age.

It is assumed by archæologists of great repute that since, in Europe, pleistocene deposits have yielded only the rudest of worked stone, therefore in no deposits older than the pleistocene can we expect to find evidences of a more primitive workmanship. This postulate may be admitted in regard to certain parts of Europe, for nothing more primitive than the rude celts can be imagined. Before this time, man, in that region at least, must have used natural fragments of stone and sticks, and even the faculty to use these indicates an advance far above his progenitors, who had not yet acquired this facility.

It is again assumed that since man is the most highly specialized mammal, it is not conceivable that he could have lived in the upper and middle tertiaries, because, of a large number of mammals living at that time, the species, and lower down the genera and families, are extinct; and, therefore, man, so far above these in organization, must have come in at a later date. On the other hand, it does not seem improbable that the single living species of man may be the sole survivor of a number of fossil species, and even genera, now extinct. Such a condition of things would find its parallel in many, if not in all, of the living species of mammals to-day who represent the survivors of a line of species and genera far back in the tertiary.

In regard to the other assumption—that man is the most highly specialized mammal—we think even this is open to suggestive doubt. In that he possesses a highly convoluted brain, with all its capabilities and possibilities as we find him to-day, he certainly is highly specialized; but as a mammal—and only as a mammal must we regard him—he belongs to a more generalized type. If we consider him only in relation to those mammals nearest related to him, we find all his characters held by no one ape, and to find his resemblances one has to consult a variety of forms. His structural relations are found in the gorilla, chimpanzee, orang, gibbon, *Simiadæ*, and even in the half-apes, the lemuroids. It is true that most of his resemblances are with the higher apes, but these are not of sufficient weight to assure us that any of them are his progenitors. Indeed, if we care to credit such high authorities as Mortillet, Dr. Hamy, and others, man existed in the middle miocene associated with the first anthropoid ape, *Dryopithicus*, and in later beds still with *Oreopithicus*, which, according to Gervais, had affinities with the anthropoid apes, macaques, and baboons.

Professor Cope, in considering man's relations to the tertiary mammals, says that "the mammals of the lower eocene exhibit a greater percentage of types that walk on the soles of their feet, while the successive periods exhibit an increasing number of those that walk on the toes, while the hoofed animals and carnivora of recent times nearly all have the heel high in the air, the principal exceptions being the elephant and bear families." He then goes on to show the successive osteological changes of the foot from the earlier types to the later ones, through several lines of descent, and says: "The relation of man to this history is highly interesting. Thus, in all generalized points, his limbs are those of a primitive type so common in the eocene. He is plantigrade; has five toes; separate tarsals and carpals; short heel; flat astragalus, and neither hoofs nor claws, but something between the two; the bones of the forearm and leg are not so unequal as in the higher types, and remain entirely distinct from each other, and the ankle joint is not so perfect as in many of them. In his teeth his character is thoroughly primitive. . . . His structural superiority consists solely in the complexity and size of the brain. A very important lesson is derived from these and kindred facts. The monkeys were anticipated in the greater fields of the world's activity by more powerful rivals. The ancestors of the ungulates held the fields and the swamps, and the carnivora, driven by hunger, learned the arts and cruelties of the chase. The weaker ancestors of the quadrumana possessed neither speed nor weapons of offense or defense, and nothing but an arboreal life was left them, when they developed the prehensile powers of the feet. Their digestive system unspecialized, their food various, their life the price of ceaseless vigilance, no wonder that their inquisitiveness and wakefulness were stimulated and developed, which is the condition of progressive intelligence"; and adding that "the race has not been to the swift, nor the battle to the strong," Professor Cope shows in this case that "the survival of the fittest has been the survival of the most intelligent, and natural selection proves to be, in the highest animal phase, intelligent selection."

Mr. Fiske shows, in another way, that when variations in intelligence became more important than variations in physical structure, they were seized upon, to the relative exclusion of the latter.

The earliest evidences of man must be sought for in his remains, for he must have existed in much the same condition many ages before the use of rude stone implements gave him any advantage in the struggle for life. These evidences have never been found. When man acquired the habit of seeking the shelter of caverns, or the custom of burying in sepulchers, then it became possible to preserve his remains for future generations to study; but outside of these fortunate receptacles, his remains have been rarely met with. The probable habits of primitive man and his progenitors were of such a character as to render the preservation of his remains one of extreme improbability.

The herbivora, roaming in immense herds, fording streams, and seeking shelter from the flies and heat in watery places, where, if they died, all the conditions for the preservation of their remains might be expected; the amphibious mammals becoming well preserved in the matrix in which they perished; the colossal mammals becoming mired by their own weight;—all these various conditions were favorable for the preservation of those remains which are found in the greatest abundance.

The arboreal ancestors of man, on the other hand, left their remains strewn on the forest-floor, or weathering in rude tree-nests, the most uncertain of all places for their final preservation.

Professor Marsh, in his magnificent monograph on the extinct fossil toothed birds of North America, testifies that fossil birds are of the rarest occurrence, and to their arboreal habits may be due their rarity; the remains of aquatic birds being always more common.

Even if early man and his progenitors sought shelter in caverns, Professor Dawkins, the distinguished British archæologist, shows that while there have probably been caverns in all geological periods, they have all been obliterated by "the rain, the alternation of heat and cold, the acids evolved from decaying vegetation, and the breakers on the sea-shore," and this obliteration has been so thoroughly accomplished that there are only two caverns known that can be said to be as old as the middle pliocene.

Without entering into any discussion regarding the submergence of the coast-line in many parts of the world, and its subsequent erosion, thus removing traces of ancient people who have sought the sea for food, we may accept the evidences

offered to show that paleolithic man came from the south, for he makes his appearance along the southern borders of the northern ice-sheet.

It is a significant fact that, with the appearance of the glacial fields, the later tertiary apes were driven out of Europe, never to return, whilst paleolithic man came in, and was able to endure the very influences that caused the disappearance of the apes. This shows how vast a change had taken place at that early time between man and his anthropoid relatives.

He came from the south, from those regions where the least exploration has been carried on, and where the difficulties are generally greatest for such explorations. It is also in the equatorial regions that we have the hypothetical Lemuria, Atlantis, and other submerged areas, which were generally supposed to have been lands teeming with life.

An argument for believing that he lived in the earlier tertiaries may be found in the fact that his characters, as seen in the earliest remains, are yet promptly recognized as human. It is true they depart somewhat from the characters which distinguish the race to-day, nevertheless the race, with its wide variations, can compass, without violence, the most aberrant form yet found. It is man that is recognized, and not ape, and that man could have lived through such long ages with so little change is an argument that his progenitors must have lived long anterior to the earliest traces yet found.

If we consider the minor subdivisions of man in time since the neolithic age, we can trace some of his incursions. We can, as it were, see him coming from some unknown quarter, and frequenting regions never before inhabited by him.

If we now look at civilized man, we find him distributed in every part of the world, and history and tradition in most cases give us information as to the manner of this distribution. Believing that in past times as at present, colonizing went on in similar ways, we infer that neolithic man became more widely scattered than his predecessors. Wherever we turn our eyes, from one side of the earth to the other, the age of polished stone implements at one time existed. More important still is it to consider that paleolithic man seems to be just as widely distributed. His remains in river-drift and other places have been found in England, France, Portugal, Greece, Italy, Africa, Palestine, the Indian Peninsula and Northern India, New Jersey,

and California. Thus we have this early man spread over nearly the whole world; and, so far as we can judge from his rude implements, identical under all conditions of climate and surroundings. Surely such a distribution must not only indicate an enormous lapse of time, during which he remained in this condition, and slowly found his way to different parts of the world, but must, of necessity, presuppose the existence of a more primitive people from which these had sprung. Had these also become so widely scattered? Compare these rude men with those of Europe, and consider how long a knowledge of the Western Hemisphere was hidden from the latter. How infinitely slow must have been the colonizing of continents in paleolithic ages and in ages more remote!

These considerations, in regard to the not improbable existence of man in the middle, and, possibly, in the earlier tertiaries, are offered that the reader may be better prepared to appreciate the remarkable discoveries of the remains of man in the auriferous gravels of California. An elaborate memoir on this subject, by Professor J. D. Whitney, has just been completed in a second part, forming one of the publications of the Museum of Comparative Zoölogy at Cambridge.

Professor Whitney, formerly the director of the geological survey of California, has, in the memoir referred to above, described at great length the evidences regarding the genuineness of the famous "Calaveras skull," repudiated as a hoax by the press generally, made doubly famous by the witty verses of Bret Harte, and looked at with suspicion or ignored by archæologists of great repute. The reader must be referred to the pages of Professor Whitney's memoir to appreciate the force of the evidences he there brings forward in support of the claims he has made regarding the genuineness of the occurrence of human remains from beds of pliocene and possibly of miocene age. Were this skull the only object of this nature that had been found in the auriferous gravels, one might perhaps be justified in questioning it.

The truth is, however, that in ten different counties in that great region, remains of man, associated with extinct mammals and buried at great depths in the auriferous gravels, have been brought to light. It is true that in many cases the evidences have been produced by miners, but among that class are many intelligent men. In their vocation, too, they are specially seeking for

definite objects, namely: particles of gold. Their experience is not like that attending the rough excavations of railroad cuts or canals. Their work has been accompanied by a scrutiny which adds positive weight to their statements. Of great importance, too, is the uniformity of their testimony, as Professor Whitney points out, and the invariably rude character of the implements which they produce from these beds. Any attempt at deception would certainly bring with it some rudely carved image, or stone with rude characters engraved thereon. No collusion is conceivable between so many observers, covering so many years, and working in so many widely separated localities.

Among the many notable examples cited by Professor Whitney, that of the occurrence of human remains beneath Table Mountain is the most remarkable. In this case, tunnels had been driven in horizontally beneath the basaltic cap of the mountain, which is of great thickness. The tunnels being horizontal, there was no possibility of *débris* falling from above, with the chance of conveying surface specimens. The great age of the gravels beneath Table Mountain is shown by the profound geological changes which have taken place in the surface features of that region since the volcanic outflow formed the almost imperishable cap, which has preserved this area and similar areas from the wide denudation that has taken place around. The basalt forming the cap of Table Mountain extends in an even plateau, though interrupted by deep gorges and cañons, for a distance of twenty miles, with a descending grade, as measured by barometric observations, of about eighty feet to the mile. It is inconceivable on any hypothesis that this ancient lava-flow could have followed any mountain ridge or spur. Indeed, all the evidence goes to show that it followed an old river-bottom, with its superimposed beds of gravel and horizontally deposited layers of sand and clay.

While this lava-stream formerly occupied a river-channel, presumably depressed below the surrounding country, now this consolidated mass stands far above the deep gorges and cañons that have been furrowed out since. In other words, this region, once a valley, is now in turn a mountain! The enduring nature of the basalt has partially protected these plateaus from the universal erosion of that area. Beneath this basaltic mountain tunnels have been run, in one case to a distance of nearly a third of a mile.

The old river-bed upon which Table Mountain rests has been found, with its characteristic worn pebbles and bowlders, and gold has been got in precisely such positions as it would be found to-day in existing rivers. And from these tunnels, even from one which measured nearly a third of a mile in length, the remains of man in the shape of his actual bones, as well as beads, rough pestles, and other relics of human fabrication, have been brought to light, and these discoveries have been made, not by one man, but by many. Their sworn statements are given, and the specimens collected by different people, at different times, now enrich the collections of the California Academy of Natural Sciences, the Philadelphia Academy of Natural Sciences, and the Museum of the Boston Society of Natural History.

In regard to the famous skull itself, we can do no better than to quote from Professor Whitney's preface to Part II., wherein he says that "all those who refuse to accept my conclusions as to the great antiquity of man in California, do so on the ground that the Calaveras skull was not taken from its bed by the hand of a scientific man. In so doing, they not only ignore the evidence presented by the skull itself, which is positively a fossil, and was chiseled out of its gravelly matrix in the presence of several eminent authorities, but they also reject the very full testimony from other quarters, some of which comes from men of education, and even of professional education. The body of the other evidence is so great that it does not appear to me that it would be materially weakened by dropping that furnished by the Calaveras skull itself."

The voluminous testimony offered by Professor Whitney will impress all who read his volume dispassionately.

In regard to the age of these remains, Professor Whitney says that "it will be safe to say that the human race in America is shown to be, at least, of as ancient a date as that of the European pliocene; and to have an idea how far that epoch is from the present one, it is only necessary to recall the amount of erosion which has taken place since the cessation of volcanic activity in that part of the sierra in which lie the formations which have been described in the present volume."

Whatever age geologists may ascribe to the auriferous gravels, sufficient proof, in our mind, has been adduced to show that man lived at the time of their deposition, and that the mammals and

plants then living are now extinct. The plants, according to Lesquereux, are of pliocene age, and some identical with, or closely allied to, miocene forms.

On the eastern coast of North America, we have the important discovery, by Dr. C. C. Abbott, of true river-drift implements in the Delaware Valley of New Jersey. From the testimony of eminent geologists, the Trenton gravels were deposited at the foot of the retreating ice-sheet. In the Tenth and Eleventh Annual Reports of the Peabody Museum of American Archæology and Ethnology, Dr. Abbott has published full accounts of his discoveries. The implements were obtained from depths ranging from five to ten feet below the surface. These are precisely of the same nature as those characterizing the river-drift men of Europe. If Dr. Abbott's conclusions are correct, then the gravel-beds in question are a part, so to speak, of the glacial epoch.

That man existed contemporaneously with their deposition, there can be no doubt.*

The probable relation of the paleolithic man of Europe with the Esquimaux of North America has been suggested by Professor Dawkins, and Dr. Abbott supports this supposition with other evidences. In this connection, it is interesting to remark that while the breadth of the Calaveras skull, according to Professor Wyman, agrees with the other crania from California, except that of the Digger Indian, it differs in dimensions from other crania, and in these differences it approaches the Esquimaux.

The wide distribution of these remains, from distant India throughout Europe and across the American continent, shows a race, judging from their implements, apparently homogeneous, and indicates an immense lapse of time for the dispersion of these people. Their precursors must be recognized by their bones, for implements to be distinguished from ordinary stones are not to be expected. The improbability of encountering these remains has already been pointed out.

If man has descended from some ape-like progenitor, or,

* If the views of Mr. Henry C. Lewis regarding the Trenton gravels are correct, then their connection and superposition on the red gravel and brick clays indicate a second and much later glacial period, corresponding to the reindeer period in Europe. Whatever the facts may show, the identity of the Trenton river implements with those of the river-drift of Europe seems well established.

rather, if he and the present apes are derived from a common ancestor, then we must expect to find the early remains of man closely drawing near, in his characters, to that hypothetical form which is looked for in "the missing link." Thus far all the characters of the early remains of man point distinctly in that way, though many a long gap must yet be filled before the sharp lines of demarkation between the higher groups break down. From the exceeding rarity of the remains of the order of primates, the different groups stand quite as isolated as man from them. Not to speak of the gaps yet to fill between the different genera of the higher apes, a great gap separates the true apes from the half-apes or lemurs, and these in turn have affinities with the most aberrant and puzzling forms, like the aye-aye and tarsier, with its extraordinary long tarsal segment, so that we have the affinities of man brought by a quick passage, as it were, to the lower levels of the mammalia; and in this connection it is interesting to observe that in the lower eocene, both in Europe and America, lemuroid forms have been discovered.

In recalling the low characters of ancient man, it is not necessary to mention here the oft-repeated examples of the Neanderthal and Engis skulls, the skulls of Perigord, the jaws of La Naulette, Moulin Quignon, and a host of other examples now classic in the literature of the subject, and the equally remarkable remains in this country, such as the platycnemic tibiæ of Michigan, and the remarkable skull from that region, with the temporal ridges nearly approximating. Suffice it to say that, just as we find the remains of man at lower levels, so do we find his characters in the main departing not only from the higher races of to-day, but in the same proportion approaching a type which is ape-like. If we examine the races to-day we find the savage groups presenting a number of low characters, such as a deficiency of the sharp ridge at the base of the nostrils, differences in the proportion of the pelvis, in some the foramen magnum farther back; a certain percentage of perforated humeri, prognathism, and other characters, all of which are an approach to the apes, and a departure from higher man. No one savage race possesses all these characters, but each race has some of them. If we look for these characters among the higher races, we meet with them rarely. Thus, the percentage of perforated humeri in the white race is very low. Of fifty-

two humeri examined by Wyman, only two were perforated. In the present Indian and Negro, this peculiarity occurs more frequently, and in the prehistoric races of America it is very common. Wyman found in a Florida mound thirty-one per cent. perforated, while Gillman estimated the percentage of perforated humeri in a Michigan mound as at least fifty per cent. He has furthermore pointed out the interesting fact that these low humeri are associated with excessively flattened tibiæ.

If now we note successively the percentage of low characters revealed in the higher races of to-day, in existing savages, in the races, both savage and civilized, at the dawn of history, and finally, in those savage races which alone existed in neolithic and down through to paleolithic times, we find this percentage becoming greater as we descend. So marked is the increase that one may almost predict that, when still more remote horizons yield their human remains, an enormous percentage, if not all, will be found with low, receding foreheads; heavy frontal crests; rounding of the base of the nostrils; a nearer approximation of the temporal ridges; a greater posterior position of the foramen magnum; the absence of a projecting chin; ape-like proportions of the molar teeth; perforated humeri; quadrumanous proportions of the pelvis; flattened and saber-like tibia; conspicuous roughness and ridges for the attachments of muscles, and other low osteological characters, all pointing in one direction. Of the soft parts, the amount of hairiness and the racial character of the hair, the persistence of ape-like muscles, which at the present time occur but rarely, or of their habits and mental attributes, nothing, of course, can be known.

These characters, when found, will have become merged so completely with those of the ancestors on another line that new genera will have to be erected to embrace them. This conclusion brings no strain upon the accepted methods of logical deduction. For these remains we are still seeking.

There are many species of mammals whose early progenitors are not known, and, though many wide and important gaps in conspicuous groups of mammals have been filled up, thanks to the labors of our American paleontologists, there are many "missing links" in other groups as well as in that group to which we belong. The intense impatience to fill this gap in man's genealogy arises from the special interest that man naturally feels in his own species. How long we have patiently waited

for those links which Geoffroy St. Hilaire so earnestly looked for—the closing up of wide gaps between the paleotherium, hipparion, and the horse; and who could have foretold in his day that, in the wild regions far beyond the Mississippi, amid hostile savages, these precious remains would be brought to light!

Many other intermediate forms, of equal importance in forming connected series, though not so well known to the public, have been discovered by Leidy, Marsh, and Cope. Indeed, such intermediate and generalized forms have been added to the mammalia that we have creatures combining the characters of the pigs and ruminants, animals possessing the characters of the hoofed beasts, carnivora, and rodents! Professor Flower, the distinguished English osteologist, confesses that the modern classification of mammals completely breaks down in the light of these revelations. Cuvier's law of the "Correlation of Structures," although applicable within certain limits, would have led him into the gravest errors as applied to the fossils known at present. Professor Marsh, in his address on the "History and Methods of Paleontological Discovery," says that if Cuvier "had had before him the disconnected fragments of an eocene tillodont, he would undoubtedly have referred a molar tooth to one of his pachyderms, an incisor tooth to a rodent, and a claw-bone to a carnivore."

The sharp lines of demarkation which discriminate the various groups of mammals in Cuvier's day have been, in many cases, rounded off or completely obliterated. Man, who is still seeking his own phylum with those of many other species of mammals, must patiently wait.

Huxley, in his courageous little book on "Man's Place in Nature," published nearly twenty years ago, closes by asking the question: "Where, then, must we look for primitive man? Was the oldest *Homo sapiens* pliocene or miocene, or yet more ancient? In still older strata do the fossilized bones of an ape more anthropoid, or a man more pithecoid, than any yet known, await the researches of some unborn paleontologist? Time will show; but, in the meanwhile, if any form of the doctrine of progressive development is correct, we must extend, by long epochs, the most liberal estimate that has yet been made of the antiquity of man."

EDWARD S. MORSE.

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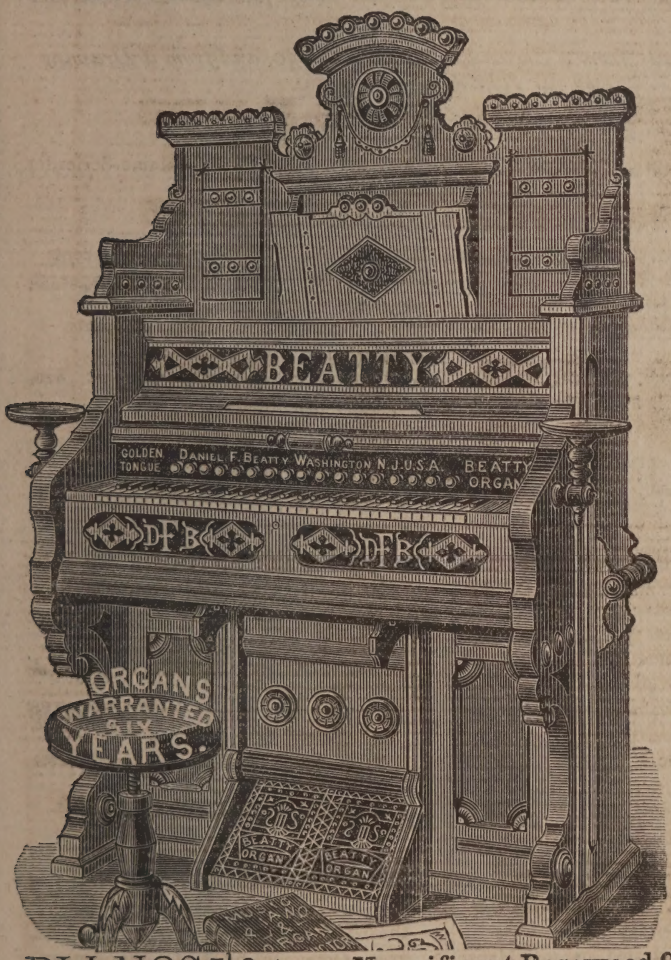

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